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“It’s not a lie if you’re not intending to be deceptive” -
Reflections on lies, selfless assertions and creationist teachers
in social epistemology

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Abstract (English)

In this thesis, I critically examine the nature and morality of lying through an analysis of contemporary debates in social epistemology and moral philosophy. To begin, I provide a systematic overview of descriptive approaches to lies, focusing on statement and assertion, untruthfulness, address, and the intention to deceive. Furthermore, I trace the shift from deception-based to non-deception-based accounts of lying in recent philosophical discourse and analyze its implications on the conceptual level. Moreover, I explore the moral status of lying through three main theoretical lenses: absolutist theories, act-utilitarianism, and prima facie duty approaches. A significant portion of my work is dedicated to an integrative analysis of Jennifer Lackey's work on lying, published between 2007 and 2021. Specifically, I reconstruct Lackey's model of individual and collective lying, examining its relationship to her broader epistemology of testimony and group knowledge. In my critical assessment, I challenge several aspects of Lackey's arguments, including her rejection of non-deception-based accounts and her characterization of the 'creationist teacher' example. I contend that Lackey's account fails to fully capture the complexity of institutional contexts, as it overlooks fundamental aspects such as trust, epistemic commitment, and integrity, which are of primary importance both in the relationship between speakers and hearers and in the relationship between society and educational and research institutions. I conclude by proposing alternative interpretations of key examples and suggesting modifications to existing theories. Ultimately, my work contributes to the ongoing philosophical debate on the nature of lying, its relationship to deception, and its moral implications in both individual and group contexts.

Abstract (Deutsch)

In dieser Arbeit setze ich mich mit der Natur und dem moralischen Status des Lügens durch eine Analyse zeitgenössischer Debatten in der sozialen Erkenntnistheorie und Moralphilosophie kritisch auseinander. Zu Beginn arbeite ich einen systematischen Überblick über deskriptive Ansätze zum Thema Lügen heraus, wobei ich mich auf die zentralen Aspekte von Aussagen und Behauptungen, Unwahrhaftigkeit, Ansprache und die Absicht zu täuschen konzentriere. Darüber hinaus rekonstruiere ich den Paradigmenwechsel von täuschungsbasierten zu nicht-täuschungsbasierten Auffassungen des Lügens im jüngeren philosophischen Diskurs und analysiere dessen Implikationen auf konzeptioneller Ebene. Des Weiteren beleuchte ich den moralischen Status des Lügens aus drei grundlegenden Perspektiven: absolutistischen Theorien, Handlungsutilitarismus und Ansätze der *prima facie* Pflicht. Ein besonderes Augenmerk liegt hier auf der Frage nach deren Kompatibilität mit neueren, deskriptiven Ansätzen aus der sozialen Erkenntnistheorie, welche nicht-täuschungsbasiert arbeiten. Den Kern meiner Arbeit bildet eine werksübergreifende Analyse von Jennifer Lackeys Arbeiten zum Thema Lügen, die zwischen 2007 und 2021 veröffentlicht wurden. In diesem Zusammenhang rekonstruiere ich Lackeys Modell des individuellen und kollektiven Lügens und untersuche dessen Beziehung zu ihrer umfassenderen Epistemologie des Zeugnisses, dem Sprachverhalten von Gruppen und dem Konzept der selbstlosen Behauptung. In meiner kritischen Bewertung problematisiere ich mehrere Aspekte von Lackeys Argumentation auf formaler und inhaltlicher Ebene, einschließlich ihrer Ablehnung nicht-täuschungsbasierter Ansätze und ihrer Charakterisierung und Verwendung des in der Fachliteratur einflussreichen Fallbeispiels „creationist teacher“. Ich vertrete den Standpunkt, dass Lackeys Darstellung der Komplexität institutioneller Kontexte nicht gerecht wird, da sie grundlegende Aspekte wie Vertrauen, epistemische Verpflichtungen und Integrität übersieht, die sowohl in der Beziehung zwischen Sprechern und Hörern als auch im Verhältnis der Gesellschaft zu Bildungs- und Forschungseinrichtungen von zentraler Bedeutung sind. Abschließend spreche ich mich für eine alternative Interpretationen und Reklassifizierungen von Schlüsselbeispielen, sowie Modifikationen bestehender Theorien aus. In diesem Sinne trägt meine Arbeit zur fortlaufenden philosophischen Debatte über die Natur des Lügens, dessen Beziehung zur Täuschung und dessen moralische Implikationen sowohl in individuellen als auch in kollektiven Kontexten bei.

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Introduction

This thesis centers on the topic of lying. More specifically, it aims to investigate the nature of lying by examining the conceptual framework underlying descriptive approaches to lies as currently debated in social epistemology, as well as the morality of lying in light of various theories in moral philosophy. Furthermore, it undertakes a detailed examination of Jennifer Lackey's writings on lies and related concepts from 2007 to 2021 through an integrative cross-work analysis and critical discussion of her approach and its reception in the scholarly literature.

Chapter 1 provides a systematic overview of the extensive contemporary debate, highlighting central aspects of the discourse on lying and its key controversies. Firstly, I discuss descriptive approaches alongside four main aspects: statement and assertion, untruthfulness, address, and the intention to deceive. Subsequently, I examine a turning point in the historical development of the discourse on lying over the past decades, which has gradually shifted from so-called deception-based accounts to approaches that frame lying as independent of deception. Here, particular attention is given to the arguments and intuitions that have been decisive in this paradigm shift, as well as to the broader consequences arising from this changed understanding.

This brings me, in the second part of the first chapter, to the question of the moral status of lying. I examine three main families of approaches: first, so-called absolutist theories, which argue that lying is intrinsically and (almost) always wrong, focusing on Augustine, Kant, and Kantian approaches; second, act-utilitarianism, as represented by Mill; and third, approaches aligned with David Ross' account of *prima facie* duties. My approach here is more systematic than historical: the aforementioned authors serve as paradigmatic starting points for specific types of moral reflections on lying, which are then discussed in light of their arguments and the current scholarly literature surrounding them. A further key aspect of engaging with these moral accounts is the question of their conceptual compatibility with the previously discussed descriptive approaches.

In Chapter 2, I provide an integrative analysis of the American philosopher Jennifer Lackey's work on lies, drawing on her writings published between 2007 and 2021. There, Lackey addresses lying in relation to testimony, assertion, and her epistemology of groups. While the

first part of the chapter engages with reconstructing her individual model of lying, the second part examines its transposition to the collective level.

Lackey's account of lying is notable for its attempt to bridge the gap between deceptionism and non-deceptionism about lies, incorporating elements from both traditions. Additionally, her account introduces criticisms and counterexamples against contemporary dominant non-deception-based theories, which have made significant waves in the literature. At the center of this critique, as well as in Lackey's accounts of lies, testimony, and assertion, we meet the case example CREATIONIST TEACHER, also known as *the Stella example*, which situates the discussion of lying and its related aspects within the context of educational institutions.

Lackey argues that the creationist teacher example not only demonstrates that non-deception-based accounts, such as Don Fallis', are misguided but also serves to illustrate a type of phenomenon she terms "selfless assertion." Selfless assertions as believed-false statements are distinguished from lying by the absence of any intention to deceive on the part of the speaker. This has two main consequences, one epistemic and the other moral. First, according to Lackey, we can gain knowledge from selfless assertions even if the speaker lacks belief in what they are saying. Second, selfless assertors—unlike liars—are not morally blameworthy but are instead subject to praise. My approach here is both descriptive and explanatory, aiming, on the one hand, to outline Lackey's conceptual work on lying in its complexity by paying special attention to the connections, compatibility, and tensions among her various accounts. On the other hand, I develop a descriptive meta-level by placing these accounts within the context of Lackey's engagement with other scholars in the literature.

In Chapter 3, I will take on a critical stance toward Lackey's arguments and her accounts of individual lies, group lies, and selfless assertion that I have laid out previously. I shall start with Lackey's refutation of non-deception-based accounts on the basis of counter-examples and the conclusion she draws from this, inferring that non-deceptionism about lies is generally misguided. I challenge this claim, both with regard to its validity and its conclusiveness. With regard to the former, I argue that, assuming that her argument does not constitute an affirmation of the consequent, and further assuming that the three non-deceptionist accounts indeed fail to address the counterexamples as Lackey claims, the conclusion that non-deceptionism is generally incorrect is nevertheless not sufficiently justified. This is so, first, because albeit

sharing the feature of not explaining lies in terms of the intention to deceive, non-deceptionist accounts are more heterogeneous than Lackey acknowledges, and, second, because there is not one example that *all* three cited accounts fail.

This leads to my second point concerning the conclusiveness of Lackey's argument. I challenge the premise that non-deceptionist accounts categorically fail to address the creationist teacher example, arguing that Fallis' account, when supplemented with a Kantian understanding of conversational norms, can indeed accommodate the case. Additionally, I question Lackey's interpretation of Carson's account, contending that her conclusion is largely based on conflicting intuitions regarding the interpretation of the examples at issue, rendering her claim no more compelling than the opposing view. I conclude that Lackey has not succeeded in categorically refuting these accounts as non-deceptionist.

In the second part of the chapter, I critically examine Lackey's own account of individual lies, her concept and three examples of selfless assertion, and the distinction she draws between the two. Regarding the former, I argue that the distinction between withholding and concealing information— which serves as a defining feature of her understanding of lying as involving "the intention of being deceptive"— does not hold in all cases. More specifically, it produces the opposite verdict for CREATIONIST TEACHER, which is one of the three examples she offers for selfless assertion, identifying it instead as a lie. Furthermore, the creationist teacher case exhibits several structural differences from the other two examples of the phenomenon and does not align well with Lackey's definition. I conclude on this point that either we exclude CREATIONIST TEACHER from the realm of selfless assertion and change its verdict into a lie (which has been done intuitively by a number of scholars), or we reject Lackey's account in favour of Fallis'. Since the latter is conceptually efficient but has undesirable consequences, I opt for the former.

Finally, in section 3.3, I analyze Lackey's account of collective lying, which integrates her individual model of lying with her account of group assertion. I address two main questions in this context. The first is whether groups, as epistemic agents, can produce speech acts that should be classified as selfless assertions. The second builds on my earlier argument that the creationist teacher example does not fit Lackey's definition of selfless assertion and should instead be considered a lie under her individual account. As an alternative strategy, I explore

whether such cases could be better understood as instances of group assertion through spokespersonship, where the author of the statement is not the individual speaker, Stella, but rather the collective agent—the institution—behind her. Regarding the first question, I conclude that groups cannot make selfless assertions in any meaningful sense, as individual beliefs arise psychologically, whereas group beliefs are constructed, filtering out the mechanisms that lead to selfless assertions. As for the second question, I argue that framing the creationist teacher example as an instance of group assertion is not only a possible option but also a preferable one, as it preserves the speaker's integrity and trustworthiness. The latter are crucial in institutional settings, particularly where epistemic asymmetry and dependence between speaker and hearer, such as in educational contexts, are prevalent.

1. Recent debates on lies in philosophical literature

Engaging in current philosophical discourse on lying and other-deception, we meet two types of questions at the center of discussion. The first type of question pertains to the concept of lies, asking how lies are best defined, as well as distinguished from other phenomena, such as deception or bullshit. I call this the *descriptive dimension* of lies (*Chapter 1.1*). The second type of questions, closely bound up with the former, focuses on morality, asking whether, why, and when lying is morally wrong. I shall call this the *normative dimension* of lies (*Chapter 1.2*). Philosophers usually combine these two dimensions in their account. I will treat them separately in order to shed light on various issues that have been raised in the recent discussion of lying in philosophy.

1.1 What it is to lie – descriptive approaches

Lies are part of our everyday life. Each of us has a certain intuitive grasp of lying, we can easily give examples of lies, and most of us have substantive first-hand experience of lying, both as liars and as people being lied to. However, as the recent philosophical debate shows, it is more difficult than it seems at first to develop a conceptual framework that accommodates the diverse aspects and facets of the phenomenon of lying.

At this point, it is important to note that our willingness to commit to a certain concept of lying (and to choose it over another) depends on what we expect from it at the meta level.¹ One main concern is that the concept does justice to the phenomenon of lying, that it offers a *true* description of the latter. Some will take this to mean that it must carve the nature of lying at its joints, while others may be less ambitious in demanding that it be as much as possible aligned with our intuition and experience, or should at least not run counter to them.

Another frequently expressed desire is that our concept of lying should be both theoretically useful and practically helpful. It should be helpful in practical context of application, such as in jurisprudence, where the question what a lie is makes a crucial difference for how someone's

¹ What one may expect from a concept of lying and why philosophers are – and should be – concerned with it has been discussed with varying emphasis by a number of philosophers under the label 'conceptual analysis' (see, e.g., Carson, 2006, p. 153; Fallis, 2009, p. 30-33). Two major concerns stand out here: First, to respond to the criticism conceptual analysis has earned for its reliance on intuition. Second, to point out the priority of conceptual questions over moral ones (lying is predominantly perceived as a problem but should not be reduced to that).

actions are being judged. It should also be of use in theoretical settings, such as moral and political philosophy, in that it allows us, for instance, to determine what is wrong with lying in the first place. To negotiate these aims is not always easy, and depending on where priorities lie, approaches to lying differ, respectively. However, as notes Carson, an account on lying should, first of all, seek to correspond to essential aspects of the phenomenon itself:

Conceptual questions about the nature of lying and deception are *prior* to questions about the moral status of lying and deception. Any theory about the moral status of lying (or deception) presupposes an account of what lying (or deception) is. (Carson, 2009, p. 153)

In what follows, I shall thus stick with the *descriptive approach* and sketch out main questions and issues that analytic philosophers have raised with regards to the concept of lying. They include questions such as whether lying always involves making a statement, and what kind of statement (*The Statement-Assertion Condition*); what kind of relationship lies and liars have with truth (*The Untruthful Condition*); to whom we may lie (*The Addressee condition*); and whether the liar has a certain intention, such as the intention to cause the addressee to believe what they say is true (*The Intention to Deceive the Addressee Condition*).² While traditional accounts in the literature tend to answer the last question in the affirmative, philosophers in recent years have proposed a number of counter-examples. After having outlined major points of criticism of the intention to deceive condition (*Chapter 1.1.2*), I will provide an overview of non-deception-based accounts (*Chapter 1.1.3*).

1.1.1. Four main conditions of lies

In everyday language, lying is often understood as a deliberate act of deception in which one communicates a false statement to another person: lying is ‘to make a false statement with the intention to deceive’ (OED, 2023).³ One standard definition of lying among philosophers is this:

‘A lie is a statement made by one who does not believe it with the intention that someone else shall be led to believe it’ (Isenberg, 1964, p. 466).

In what follows, I shall call this the L1-definition and use it as a point of reference to turn back to. It can be reformulated as follows:

L1: To lie = to make a believed-false statement to another person with the intention that the other person believe that statement to be true.

² I adopt this taxonomy in its structure from Mahon (2016), but my outline of current discussions differs from his in some respects.

³ A similar definition is, e.g., defended by Williams (2002, p. 96), who ‘take[s] a lie to be an assertion, the content of which the speaker believes to be false, which is made with the intention to deceive the hearer with regard to that content’.

As mirrored by L1, the traditional definition of lying includes four necessary conditions, namely, (i) making a statement, (ii) believing the statement to be false, (iii) making the untruthful statement to another person, and (iv) intending that person to believe the untruthful statement. In the following, I will use these four conditions to sketch out key issues in the debate on concepts of lying.

The Statement-Assertion Condition

Most philosophers agree that lying involves making a statement, and that the lie in question is about what has been said (and not, for instance, what might be inferred from it). Making a statement is the minimal condition that philosophers typically lay down in this context. Some think that this is not sufficient, and suggest a narrower, more qualified understanding, such as that lying requires an assertion (understanding assertion as a certain kind of statement). In the following, I will outline the range of views in this matter, from weaker versions that assume statements to conceptions that commit to stronger views.

In philosophy of language, a statement is generally considered to be a declarative sentence that expresses a proposition, which is a claim that can be either true or false. A proposition is the meaning or content that is conveyed by the sentence. For example, the sentence ‘The elephant is in the room’ is a declarative sentence that, literally taken, expresses the proposition that the elephant, a specific animal, is in the room, a specific place. In this sense, a statement is a type of speech act that conveys information, and can, at least in principle, be judged true or false. However, there is ongoing debate among philosophers about what types of sentences should be considered statements, and whether questions or commands, for instance, can also be analyzed in terms of their propositional content. How we define lies in terms of language depends partly on how we answer this question.⁴

More central are questions that concern lies as *acts* of communication. Part of our common understanding of what kind of actions people perform when they lie is that they ‘say something’, that they ‘make a *statement*’, which means roughly that ‘i) S produces (utters, writes, signs, etc.) a linguistic token, t, that expresses a proposition.’ (Carson, 2006, p. 287)

⁴ It is not my aim to delve any deeper into these discussions since they do not occupy a prominent place in the discussion on lying. As I said before, the minimal conditions set in this context hold that lying involves declarative statements that can be true or false.

There is further strong agreement that ‘say’ or ‘states’ should not be understood too narrowly in the sense that it should not be limited to someone speaking or writing. S can lie to D by making use of commonly known gestures (like nodding one’s assent). People can say something by using conventional signs or symbols (thumbs up for ‘this is correct’, or ‘I believe this to be true’). If a group of biologists who conduct an experiment together agree upon the gesture nodding as standing for ‘the elephant is now in the room’, in order to indicate the elephant’s presence non-verbally, biologist A makes a statement when he looks at biologist B and moving his head up and down. Silence can be such a symbol as well if it was agreed that remaining silent in a given situation stands for a certain statement (e.g., silence as a sign of ‘this is correct’). In everyday language, this could be formulated as follows: we say something to another person if we do it in a way in which we think the other will understand what we mean. Most philosophers generally accept this understanding.⁵ However, lying, some argue, should not be understood too broadly.

It should not be understood so broadly that misunderstandings would easily qualify as lies, for instance, because of differences between the speaker’s and hearer’s understanding of what has been stated. Some philosophers have argued that we can lie in code and metaphors (Claridge, 2018, p. 370-81). If the metaphor is correctly understood, the sentence ‘the elephant is in the room’ can have a different, yet shared meaning. For one thing, ‘elephant’ could be a piece of code that two sisters use as a nickname for their clumsy brother. In this case, the sentence could be used to communicate the proposition ‘our brother is in the room’. Similarly, in a discussion where all present are talking around an uncomfortable topic that is in front of everyone’s eyes, it can be uttered as a metaphor standing for ‘there is a pressing topic that everyone is aware of but avoids discussing or acknowledging.’ Following Chisholm and Feehan, Mahon (2016) suggest the following working definition as a standard version of statement:

x states that p to y =df (1) x believes that there is an expression E and a language L such that one of the standard uses of E in L is that of expressing the proposition p; (2) x utters E with the intention of causing y to believe that he, x, intended to utter E in that standard use. (Chisholm and Feehan 1977, p. 150, *cited after Mahon 2016*)

⁵ This wider definition gives rise to further questions concerning e.g., vagueness. They are not topic of this chapter but are addressed, e.g., by Egré & Icard (2018, p. 354-69).

Yet the definition should not be so broad that we cannot distinguish lying from other forms of deliberate deception, such as bluffing, bullshitting⁶ or other kinds of misleading behavior. Most philosophers exclude from their definition false inferences based on deception, such as when someone is bluffing.⁷ I may, for instance, wish my clients to think that my business is going well; to that end, I rent an expensive car, dress in expensive clothes, and pay for their drinks. I may succeed in causing them to believe it, observing my behavior, people may draw the conclusion I want them to draw... But although I succeed in deceiving them, I have not lied. Similarly, if a poker player who places a very large bet, he may mislead the other player about the strength of their hand, but he is not telling a lie.

The German philosopher Immanuel Kant argues that the important difference between lying and misleading (e.g., by acting as if) is that liars implicitly ask others to place their faith in them, while mere deceiving or misleading does not imply such a feature.⁸ What distinguishes someone acting as if their business is going well and someone who says, ‘My business is going well’ (although it isn’t),⁹ is that, by saying so, the liar ‘gives an indication that he is expressing his own opinion’ (Mahon, 2016) and is thus asking the addressee to ‘place their faith in them’. They do it in a *serious* way, so it may not be taken for a joke or judged incredible.

This seriousness and indication of expressing one’s own opinion has led some philosophers, especially in the recent literature, to employ the notion of assertion in order to define lies. There is controversy over how they respectively understand ‘assertion’. Four prototypical accounts have been identified by Goldberg and Austin:¹⁰

What makes an assertion the type of speech act that it is, rather than some other type of speech act, is that...

- ...the speaker says that p and intends that their utterance be regarded by the hearer as a reason both to think that the speaker believes that p and that the speaker intends the hearer to believe that p. (**attitudinal account** after Bach & Harnish)

⁶ Bullshit is widely regarded as distinct from lying, based on Harry Frankfurt’s influential account of bullshit (Frankfurt, 2005). The difference between the two is, however, not a matter of speech act, but depends on the liar’s relationship to the truth (see also the *Untruthful condition* which I discuss in the next section).

⁷ For a detailed overview of discussions on lies and bluffing, see Perillo (2018, p. 277-87).

⁸ For Kant’s example to this (acting as if one is going to go on a holiday) can be found in Kant, I. (1997). On ethical duties towards others, and especially truthfulness. In P. Heath (ed.), *Lectures on Ethics*, p. 200–209. Cambridge University Press Cambridge, MA.

⁹ The poker example is taken from Huss, Brian. ‘Bluffing, Lying, and Bullshitting’. *Poker and Philosophy*, edited by Eric Bronson, Open Court, 2006, p. 127–37.

¹⁰ I take over Austin’s reconstruction of Goldberg’s taxonomy. A detailed description of these paradigmatic approaches can be found in Austin (2020, p. 16-22).

- ...the speaker says that p and thereby proposes that p become part of the common ground.¹¹ (**common ground account** after Stalnaker)
- ...the speaker says that p and confers a commitment upon themselves to the truth of p, which involves incurring the obligation to vindicate p [thus] to make oneself responsible for its truth. (**commitment account** after Peirce)
- ...the speaker says that p and their saying is governed necessarily by a constitutive rule (or norm), the condition of which is knowledge.¹² (**constitutive rule (or norm) account** after Williamson)

Accordingly, the L1 definition of lying can be formulated as follows:

L2: L asserts to D something they themselves believe to be false.¹³

The concept of assertion thus allows us – depending on the narrowness of its definition - to delimitate assertive statement from those which lack the ‘seriousness’ mentioned above, such as statements that are being made in a playful or ironic manner. Those cannot be considered assertions because speakers do not speak in a way that suggests that they intend their audience to take them seriously. When using irony, the speaker gives a clear signal of their intention, such as using a certain tone of voice or particular choice of words, to indicate that they are *not* making a serious statement, that they themselves do *not* believe the propositional content to be true.

If we refrain from adopting such a stance but merely stick with the broader statement condition as a requirement for lying, we wrongly capture believed-wrong ironic statements or recited lines in a theatre play as lies, while they obviously are not. As a consequence, philosophers have either narrowed the statement condition of lies to statements that are assertions, or committed themselves to further conditions that rule out such cases (e.g., the intention to deceive the addressee condition).¹⁴

To sum up, the statement condition is defended with different emphasis, depending on what understanding of ‘statement’, ‘saying something’, or ‘asserting’ is adopted. It has been argued, on the one hand, that statements are *not necessary* in order to lie, e.g., by arguing that lying does not necessarily involve verbal expression. On the other hand, philosopher have argued

¹¹ ‘Common ground: it is common ground that p in a group if all members accept (for the purpose of the conversation) that p, and all believe that all accept that p, and all believe that all believe that all accept that p, etc.’ (Stalnaker 2002, p.716)

¹² There are a number of newer accounts who defend modified versions of this account, replacing knowledge with weaker notions such as belief, justification, justified belief and so on.

¹³ This standard form can be found, for instance, in Chisholm and Feehan (1977, p. 152).

¹⁴ Both have, of course, implications for normative accounts on lying. I will say more about this below. In *Chapter 1.1.3*, I will discuss three accounts of lying that make use of the notion of assertion and argue why it is preferable to additional conditions that rule out cases of ‘unserious talk’.

that it is *not sufficient*, in the sense that we should construe lies in terms of assertions, rather than mere statements.

The Untruthful Condition

On most views of lies, the liar has to believe that the statement or the assertion she makes is false. Contrary to the common idea that lies *are* false statements, it has been shown that this is not necessarily so.¹⁵ There is an important distinction to be made here between truth and truthfulness. While truth refers to a statement's or proposition's quality of being in accordance with reality or fact, truthfulness, on the other hand, pertains to a person's quality of being honest, sincere, and accurate in their communications, actions, and interactions. Being truthful means telling the truth, representing things as they are (or as one believes that they are), and refraining from intentional deception, falsehood, or exaggeration. While Kant prescribes telling the truth (being truthful) as a moral duty, Williams (2010) emphasizes the significance of truthfulness in human life and the role it plays in interpersonal relationships, politics, ethics, and society as a whole. He argues that a commitment to truthfulness is essential for maintaining trust and integrity in various contexts.¹⁶

While ideally these two aspects - truth and truthfulness - coincide when we say or assert something, this is not always the case. We can be truthful while saying something that is false, and we can make true statements while being untruthful. Consider the following example in all four possible cases: Michael asks Joanne where she has been the day before, and Joanne answers 'I've been with my father yesterday' (*p*).

true / truthful: Joanne has been with her father the day before.

untrue / truthful: Joanne has been with the man she wrongly believes to be her father the day before.

untrue / untruthful: Joanne has been with her uncle the day before.

¹⁵ Carson appears to be the only philosopher, to my knowledge, who explicitly defines lies as false statements. Although he does not emphasize this point, he points out that the vast majority of lies are, in fact, false statements, and that these are the types of lies that people generally find problematic (2006, p. 184-5). I consider this argument to be weak, particularly in light of Carson's earlier claim that conceptual issues take precedence over moral issues; therefore, the fact that most people do not regard untruthful but true statements as problematic holds limited relevance for defining the concept of lying. Furthermore, I believe this claim is not entirely accurate: there are instances where individuals lie based on wishful thinking, such as asserting something that is not true (yet), or attempting to make it true after lying (for instance, lying about one's mistakes and then trying to correct them before they are discovered). Nonetheless, this remains a minor point, and there is broad consensus among philosophers that falsehood is not a necessary condition for lying.

¹⁶ In philosophical literature, just like with assertion, there is much discussion on what such an obligation entails on the speaker's part (e.g., to what extent an expressed belief must be justified). There are also philosophers who defend a strongly normative notion of assertion (normally under the term 'testimony') that includes truthfulness, justified belief, etc.

true / untruthful: Joanne has been with the man she believes to be her uncle the day before, but who is actually and unbeknownst to Joanne, her biological father.

What results from this example is that a statement does not have to be actually false to qualify as a lie. In fact, most philosophers adopt untruthfulness, but not untruth as an essential feature of lying. As Saint Augustine puts it, ‘a person is to be judged as lying or not lying according to the intention of his own mind, not according to the truth or falsity of the matter itself’ (*cited after Michaelson et al., 2018, p.4*) There are two obvious advantages to this approach: First, it correctly distinguishes lies from erroneous statements. An ill-informed or unknowing speaker is not a liar if she asserts what she believes to be true or best justified by available evidence. If Joanne did not know that the man who she believed to be her father is actually not her father when she stated ‘I’ve been with my father yesterday’, her assertion is not a lie.¹⁷ Secondly, it preserves the *prima facie* moral wrongness of lying in that it identifies untruthful statements that are found to be accidentally true nevertheless as lies. If Joanne at some later point learns that her uncle actually is her biological father (instead of the man she mistakenly believed to be her father), it is a matter of luck that what she says turned out to be true, but she has been *untruthful* when she asserted it.

So, while the proposition in question may be true or false, we can hold that *being untruthful* towards one’s assertion is necessary for lying. This is so because lying is not primarily about the falsity of the propositional content of the assertion in question, but with the *state of mind of the liar*, that is, what she believes about p. One implication of the untruthfulness condition is that if a person makes a statement that she believes to be neither true nor false, then she cannot be lying (Frankfurt, 2005, p. 33; Mahon, 2016). This is the case when the statement as such cannot be true or false,¹⁸ or when the speaker is entirely indifferent towards the truth of p. The latter case has stimulated a large debate on *bullshit* as a phenomenon distinct from lying.¹⁹

¹⁷ The same goes for people who have been successfully lied to and pass on the lie as a believed truth to third parties. Small children are not lying when they assert that Father Christmas has given them presents if this is what they have learned from people they trust to tell them the truth. In the literature, this view is sometimes dubbed Costanza doctrine. Fallis (2009, p. 38) correctly points out that there is a stronger and weaker version to it. While philosophers like Sorensen (2007, p. 254) only require that a liar fails to believe that what she says is true, others (e. g., Chisholm and Feehan 1977, p. 147; Mahon 2016) think that a liar believes that what she says is false.

¹⁸ An example made here is that of a person begging for money who says ‘All my children need medical attention,’ but actually has no children. (Siegler, 1966, p. 135)

¹⁹ On Harry Frankfurt’s infamous account on bullshit, it is the speaker’s indifference towards truth that makes him a bullshitter instead of a liar. Bullshitting, according to Frankfurt falls ‘short of lying’ in that it shares some of its features such as the intention to deceive one’s audience, but there is no belief in – in the sense of no regard for – the truth of the statement (see Frankfurt, 2005, p. 9).

The Addressee Condition

The addressee condition focuses on those who are being lied to, examining lies under the aspect of hearer testimony. Most philosophers think that in order to qualify as a lie, the statement in question must be addressed to another person. What we may understand by the term *person* is a discussion of its own and raises different issues. What concerns us with regards to lying is, as pointed out by numerous philosophers with regards to the statement condition, that the person to whom the lie is being addressed is able to understand what the speaker means to express. This feature is normally attributed to human beings who possess certain mental capacities, but of course it depends on the respective concept of personhood employed.²⁰ Some philosophers have argued that it is enough that the addressee of a lie is believed to be a person. Since lying is not a success verb, and lies are lies even if disbelieved, some philosophers argue that one may also lie to a chatbot or a dummy that one mistakenly takes to be a human interlocuter (Mahon 2016).²¹

Furthermore, it has been argued that not only can we lie to one other person, but also to a larger audience, e.g., by speaking to a group,²² and indirectly, that is via human and non-human intermediaries (e.g., through a spokesperson, by filling in a form, or by publishing an untruthful report about an event).

The Intention to Deceive (the Addressee) Condition

Some philosophers think the intention to say something one does not believe to be true to another person is not all there is to the liar's intention. Studying the existing philosophical literature on the subject of lying, one inevitably encounters the subject of the intention to deceive the person they are lying to. The weakest – often implicit – claim one encounters in this context is that while truth-telling is our default automatic response, lies are told intentionally (Carson, 2009, p. 190-1; Fallis, 2009, footnote 10; Sorensen, 2007, p. 258).²³ Since the speaker has to be aware that what she says does not correspond to what she believes

²⁰ It is controversial whether one can lie to animals (this depends on whether we regard them as capable of understanding what we say and of accordingly forming beliefs).

²¹ Note that this may affect the moral wrongness of lying, if, for instance, a consequentialist account is adopted. The 'damage' a lie can do to a machine might be significantly lower – or even inexistant – compared to a human or animal. However, lying is not a success verb – even if the hearer fails to believe the lie, it is an (attempted) lie nonetheless.

²² In social epistemology and social ontology this is termed 'epistemic agents', which, depending on the theory employed, are sometimes regarded as entities that are not reducible to their individuals (I will come back to this point when discussing Lackey's group epistemology in Chapter 2 and 3).

²³ This view is also supported by empirical evidence, see, e.g., Zuckerman et al. (1981).

to be true, one does not lie accidentally, in the way one makes accidentally a false statement (e.g. out of ignorance, a lack of attention, or misunderstanding), but on purpose and, normally, for a reason. To my knowledge, this basic assumption has not been rejected by any existing account of lies.

Opinions differ, however, on whether the intention of a liar is necessarily to *deceive* the person being lied to, that is, to make the addressee believe the statement in question to be true. Traditional accounts on lies conceive of lying as one form of deception (Augustine, 2002 p. 395; Bok, 1979, p.13; Kupfer, 1982; Williams, 2002, pp. 84-9). What makes a lie differ from false statement made out of politeness, in a humorous manner, or as part of an artistic performance, is that the liar intends to cause his audience to believe it to be true. Polite untruths understood as social code whose meaning is shared (or believed to be shared) do not qualify as lies, since the person ‘says just what etiquette demands’ (Shiffrin 2014, p. 19, *cited after Mahon, 2016*). The same goes for poets, joking speakers or actors. Isenberg gives the following example:

For example, if servant Igor makes the untruthful statement to unwelcome visitor Damian, ‘Madam is not at home,’ without the intention that Damian believe it to be true that she is not home (that would be lying on Igor’s part), but with the intention that Damian believe it to be true that it is inconvenient for Madam to see Damian now, something that Igor believes to be true, then [...] Igor is not lying to Damian. However, for Igor to intend that Damian believe this, it must be the case that Igor believes that this is how Damian understands ‘Madam is not at home’. (Isenberg 1973, p. 256, *cited after Mahon, 2016*)²⁴

The notion of polite untruths should not be confused with so-called white lies or lies we may regard as morally excusable, such as to lie to someone for encouragement (‘I know you will do well!’) or to give them peace of mind on their dying bed (‘your son will be here any moment’)²⁵. Unlike in cases where the intention of the liar clearly is to cause their audience to believe p, speakers of polite untruths intend their listeners to recognize them as such. Servant Igor wants unwelcome visitors to understand indeed that they are being denied an audience.

Here, the intention to deceive seems to constitute a good demarcation criterion. Lies are located where deception and untruthful statements overlap. Depending on how broad or narrow

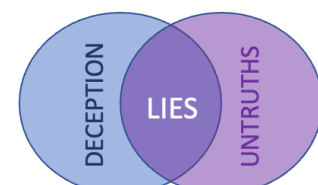


Figure 1 traditional view on lies involving the intention to deceive

²⁴ Actually, the original version that probably inspired this example goes back to Kant (servant who follows orders of the master to tell polite untruths). Kant, however, thinks that the servant is lying indeed. I will come back to this in *chapter 1.2*.

²⁵ For examples on prosocial lies (e.g., lying to people on their dying bed), see also *chapter 1.2*.

the other conditions are formulated (e.g., whether a lie necessarily involves a statement), deception and lying may collapse into one another.

1.1.2. Counter-examples to deception-based accounts and their criticism

Recently, the intention to deceive as an identity criterion for lies has come under repeated attack. As we have seen, there is a large consensus among philosophers that deception (or attempted deception) is not sufficient for lying – there also has to be some kind of statement, untruthfulness on the part of the speaker, and an appropriate recipient. In light of a number of new examples where speakers allegedly have other motivations than deceiving their hearers, some philosophers claim that it is not *necessary* either. Bald-faced lies, coercion lies, and knowledge lies are instances of lies where there is no intention on the part of the speaker to deceive the hearer, or so they argue. I will now present three such examples, analyze how they constitute counter-examples to deception-based accounts and briefly outline how the latter respond to these examples.

The strongest kind of counter-examples presented against the intention to deceive as essential to lying are bald-faced lies.²⁶ Contrary to traditional ‘disguised’ lies, bald-faced lies are untruthful statements made to an audience that is aware of both their falsehood and the speaker’s untruthfulness. Carson provides the following example that has been taken up by other philosophers in the literature:

CHEATING STUDENT: Suppose that Dean is cowed whenever he fears that someone *might* threaten a law suit and has a firm, but unofficial, policy of never upholding a professor's charge that a student cheated on an exam unless the student confesses in writing to having cheated. The Dean is very cynical about this and believes that students are guilty *whenever* they are charged. A student is caught in the act of cheating on an exam by copying from a crib sheet. The professor fails the student for the course and the student appeals the professor's decision to the Dean who has the ultimate authority to assign the grade. The student is privy to information about the Dean's *de facto* policy and, when called before the Dean, he (the student) affirms that he didn't cheat on the exam. He claims that he was not copying from the crib sheet. He claims that he inadvertently forgot to put his ‘review sheet’ away when the exam began and that he never looked at it during the exam. [...] The student says this on the record in an official proceeding and thereby warrants the truth of statements he knows to be false. He intends to avoid punishment by doing this. He may have no intention of deceiving the Dean that he didn't cheat. (If he is really hard-boiled, he may even take pleasure in thinking that the Dean knows that he is guilty). (Carson, 2006, p. 290)

Similar real-world examples are provided by Sorenson (2007, p. 253; 2010, p. 613). In Carson’s example, the student asserts something he clearly knows to be false to the headmaster, and he

²⁶ Carson offers the most detailed account of bald-faced lies (Carson, 2006; 2009; 2010). Discussions of his and other examples can be found, *i.a.*, in Fallis, 2015; Harris, 2020; Keiser, 2016; Lackey, 2013; 2021; Mahon, 2016; Meibauer, 2014, 2016; Rutschmann & Wiegmann, 2017; Sneddon, 2021; Sorensen, 2007, 2010; Stokke, 2013.

is fully aware that the latter knows it to be false as well. His intention is thus not to deceive the headmaster about anything, but to stand his ground in order to get away with cheating. As notes Sorensen (2007, p. 263), bald-faced lies arise systematically when assertions are forced – by social norms (e.g., politeness), formal procedures (such as the student case), by a context in which speaking the truth would have serious consequences for the speaker and/or the hearer (e.g., under a dictatorial regime, or in the face of a threat from a third party), or by intellectual duress²⁷. If lying requires an intention to deceive, then lies must be disguised. Yet intuitively, we clearly identify the student's undisguised untruthful statement as a (bald-faced) lie. This suggests that the intention to deceive is not a necessary condition for lying.

Another prominent example of lies without the intend to deceive comes from Sorensen (2010) under the label 'knowledge lie'. By knowledge lie he means 'an assertion that p [which is] intended to prevent the addressee from knowing that p is untrue but is not intended to deceive the addressee into believing [that] p' (Sorensen 2010). He gives the following example of testimonial sabotage:

SPARTACUS: In *Spartacus* (Universal Pictures, 1960), the victorious Roman general, Marcus Licinius Crassus, asks the recaptured slaves to identify Spartacus in exchange for leniency. Spartacus, played by Kirk Douglas, rises to spare his comrades crucifixion. However, the slave on his right, Antoninus, springs to his feet and declares, 'I am Spartacus!' Then the slave on Spartacus' left also stands and declares 'I am Spartacus!', then another slave, and another until the whole army of slaves is on their feet shouting, 'I am Spartacus!' Each slave is lying. With the exception of Antoninus, none intend to deceive Crassus about who they are. The slaves are preventing Crassus from learning who Spartacus is. (Sorensen 2010)

According to Sorenson, unlike belief-lies, knowledge-lies aim at paralysis, not persuasion. None of the slaves intends Crassus to believe that he is Spartacus. They together aim at confusing him, so he would not know whom to kill. As such they are misleading, but not deceiving Crassus. Nevertheless, the slaves, except Spartacus, are lying.

A third category of lies where the speaker does not intend to deceive his audience are coercion lies. According to Lackey, 'A coercion-lie occurs when a speaker believes that p is false, states that p, and does so, not with the intention to deceive, but because she is coerced or frightened into doing so' (2019, p. 239). Carson provides the following example of a frightened witness lying in court:

FRIGHTENED WITNESS: Suppose that I witness a crime and clearly see that a particular individual committed the crime. Later, the same person is accused of the crime and, as a witness in court, I am asked whether or not I saw the defendant commit the crime. I make the false statement that I did not see the defendant commit the crime, for fear of being harmed or killed by him. It does not necessarily follow

²⁷ Sorenson (2007, p. 257) uses the concept of intellectual duress to explain another type of non-deceptive false assertion, that is lying to oneself.

that I intend that my false statements deceive anyone. (I might hope that no one believes my testimony and that he is convicted in spite of it.) (Carson, 2006, p. 289)

As Carson points out, in such cases, giving false testimony is necessary to protecting oneself from harm, but deceiving others is merely an unintended ‘side effect.’ Nevertheless, it seems clear that my false testimony would constitute a lie. In some cases, coercion lies collapse into bald-faced lies. Carson offers, for instance, a modified version of the lying witness where the latter knows that the court disposes of video recordings of the murder and will therefore convict the accused regardless of her false testimony. Curiously, as notes Sorensen, many people seem to think that bald-faced lies are morally worse than disguised lies,²⁸ and certainly worse than coercion lies, even though they – unlike knowledge lies and coercion lies – do not make their audience epistemically worse off.

On the part of the upholders of D-accounts, these examples entail roughly three types of reactions: Some people have argued that they are no actual counterexamples to deception-based account, by acknowledging that they are lies, but arguing that the liars – the student, the witness – do have an intent to deceive.²⁹ A second strategy is to bite the bullet and exclude bald-faced lies and knowledge from their definitions. Those philosophers who take an intention to deceive to be a necessary condition on lying do not consider the student’s or slaves’ statements to be lies in the first place. It has been argued, i.a., that bald-faced lies are not assertions (Maitra 2018, p. 65), that they should be rather understood as special cases of insults (Meibauer, 2014, p. 127), as rhetorical figures such as irony, metaphor, and understatement (Dyrel, 2011, p. 139), or as mere contributions to a language game (Keiser, 2016, p. 461). A third type of response, for example by Jennifer Lackey, is to weaken the deception condition of the definition of lies so that it accommodates bald-faced and knowledge lies.³⁰

1.1.3. Non-deception-based accounts

²⁸ He thinks this is due to a rhetoric illusion and that there is no significant moral difference between bald-faced lies and other kinds of lies (see Sorensen, 2007, p. 262)

²⁹ These attempts were, at least with regards to bald-faced lies and knowledge lies, rather unsuccessful and have been satisfactorily answered by Carson, Sorensen and others. It has been argued – mainly based on diverging intuitions – that Carson’s frightened witness does indeed aim at deceiving the court. Carson responds to this by modifying the example (second version with the video footage), which thereby became more of a bald-faced lie than a coercion-lie, but clearly comes without the intend to deceive (see Carson, 1988, p. 511).

³⁰ Lackey (2013, 2021) makes a distinction between deceiving and being deceptive. In her view, only the latter, weaker version is necessary for lying. I will discuss her account at length in chapter 2 and 3.

Some philosophers have come to the conclusion that traditional deception-based accounts of lying are unconvincing. Despite some virtues of these approaches, such as successfully distinguishing lies from other types of untruthful statements (irony, acting), definitions requiring the intention to deceive are too narrow. The counter-examples I discussed in the last sub-chapter suggest that we look elsewhere for a definition of lying.

Philosophers who think that lying should not be reduced to deceptive lying face the following challenge: On the one hand, their definition must be broad enough to encompass non-deceptive lies, such as bald-faced lies. At the same time, they must substitute the deception-condition so that their accounts would rule out cases where someone speaks in metaphor, makes a joke, or recites lines from a play. Furthermore, there is (c) the question of non-deception-based accounts' compatibility with normative accounts, since in traditional accounts the moral wrongness of lies is closely tied to their feature of being deceptive. In what follows I will outline three non-deception-based accounts – Roy Sorensen's (Sorensen, 2007, 2010), Thomas Carson's (Carson, 2006, 2009, 2010), and Don Fallis' (Fallis, 2009, 2015).

Sorensen clearly offers the slimmest definition when he states that lying is 'simply asserting what one does not believe' (I shall henceforth call this the LIE-S definition). Inspired by the Aristotelian dictum that 'Falsehood is base in its own right and deserves blame' (*Nicomachean Ethics*, Bk. IV, 1127a28-30; *cited after Carson 2006*, p.41), Sorensen understands lying as a 'perversion of the practice of assertion'. To my knowledge, Sorensen does not give a straightforward definition of what he understands by assertion in his writings, but rather demarcates the concept against other, too narrow definitions. *Ex negativo*, he names two characteristics that disqualify statements as assertions: Clear falsity and implausibility.

Much of what we say does not constitute assertions. We signal a lack of assertive force by clear falsity (as with metaphor) or by implausibility. When there is doubt about whether we are asserting, we can clarify the illocutionary force of the remark: 'I am not kidding', 'I was describing the consequences, not threatening', and by adopting a straight face and sober tone to evince sincerity. (Sorensen, 2007, p. 256)

The first criterion, clear falsity, is supposed to rule out cases of insincere speech, such as metaphors, jokes, or acting on stage. Context and gestures affect assertoric force. Further, Sorensen commits to a criterion of minimal plausibility, that is, the absence of implausibility, of what has been asserted. He explains what he means by 'minimal' by differentiating between an assertion's narrow and wide plausibility. To be considered an assertion (at all), it is satisfactory for a lie to have a narrow degree of plausibility, meaning that someone who had

access *only* to the assertion in question *could* believe it, even if it possibly loses its credibility in the light of the totality of the evidence available to the *actual* audience.³¹

Looking back at the Goldberg-Austin terminology which I have sketched out in chapter 1.1., Sorensen's use of assertion is best described by the common ground account developed by Stalnaker (1978, pp. 315–332; 1999, pp. 78–95; 2002, pp. 701–721), according to which a speaker makes an assertion, rather than some other type of speech act, iff she says that *p* and thereby proposes that *p* become part of the common ground.³² Stalnaker's common-ground notion renders possible what Sorensen later on treats as common-knowledge lies (Sorensen, 2010, pp. 612-13), such as bald-faced lies, where both speaker and hearer know that what has been asserted is false.

In the example of the cheating student (Carson, 2006, p. 290, *see above*), an outsider who only hears the latter's assertion 'I did not cheat in the exam' in a serious voice may very well believe it to be true, although the cheating student's actual audience - the dean and the professor - who have evidence of the student's cheating, know that it is a lie. If, however, the students used a clearly ironic undertone that marks his statement as something false or utters the same words as an actor in a play, even a naïve listener will not take it as an assertion.

Bald-faced liars will clarify the assertive status of their remarks. [...] There will be no nod or wink to show that this is a game. Under cross-examination, Carson's intimidated perjurer will solemnly re-affirm the truthfulness of his testimony. He will be embarrassed if the prosecutor catches him in contradictions. Similarly, Carson's cheater will not achieve his aim if he presents his denial as sarcasm. Only assertion will do the trick. (Sorensen, 2007, p. 256)

LIE-S dispenses of the intend to deceive condition by shifting the attention from the mindset of the liar to that the audience. Sorensen claims that an assertion, in order to count as such, must be at least hypothetically believable. By this he means that the statement in question must constitute something that an ignorant hearer would deem at least an *epistemic possibility*.³³ The same goes for the frightened witness lying in court and the slaves in Spartacus. However,

³¹ This amounts to saying, as Sorensen does, that any assertion that is free of contradiction and could be believed if taken in isolation may be a lie, if the speaker does not believe it. Neither does the speaker need an intention to deceive, nor is he in any case warranting the truth. In cases where the audience knows that the speaker is lying, there is no promise to speak the truth in place (see Sorensen, 2010, p. 608).

³² 'Common ground: it is common ground that *p* in a group if all members accept (for the purpose of the conversation) that *p*, and all believe that all accept that *p*, and all believe that all believe that all accept that *p*, etc.' (Stalnaker 2002, p. 716)

³³ In concrete terms, this means, for example, that the statement must not be "obviously untrue", e.g. because it contains a contradiction in terms or is said in an ironic tone that makes it clear that the speaker does not mean what he or she is saying.

Sorenson acknowledges the challenge non-deception-based accounts of lies encounter when it comes to the morality of lying.

The utilitarian explanation of why lying is wrong is that deception has bad consequences. But bald-faced lies are not deceptive. Deontological explanations of why lying is bad turn on the intent to deceive. Immanuel Kant notes that the liar cannot will the maxim 'Lie when it is in your interest' to be a universal law. The practice of assertion would break down. But bald-faced lies do not fool anyone. They are no more a threat to truth telling than sarcastic remarks. Another deontological explanation is that lying involves a betrayal of trust. The liar invites the hearer to take his word for it. But the bald-faced liar has no hope of such treachery. He realizes that his hearer is not going to believe the falsehood. (Sorensen, 2007, p. 252)

Instead of proposing moral accounts that can be matched with his descriptive view of lies in general, Sorensen contents himself with a partial answer. That subset of lies that constitutes deceptive - that is, epidemically 'harmful' - lies can still be judged using conventional, deontological or consequentialist moral approaches.³⁴ Lies that come without the intention to deceive can then be evaluated separately. While bald-faced lies tend to 'annoy' us, and sometimes correlate with other wrongdoing, they are, on Sorensen's view, not necessarily morally wrong in a strong sense. He concludes:

Bald-faced lying is comical – from a safe distance. Those enmeshed in the absurdity are generally annoyed by it. But much that is morally neutral annoys us: snoring, late buses, ugly décor, stinky garbage, and monotonous spam. The bald-faced lie is at home among these noxious neighbours. You have good reasons to refrain from bald-faced lying but these are not the moral reasons that condemn disguised lies. (Sorensen 2007, p. 263)

Carson's and Fallis' accounts both commit to LIE-S conditions (asserting p and not believing that p) but respectively add a third condition to their accounts on lies. Furthermore, they have a slightly different understanding of what it means to assert something.

Arguing against the intention to deceive as an essential feature of lying, Carson defines a lie as a falsehood that the speaker insincerely warrants as true:

LIE-C: A person S tells a lie iff: 1. S makes a false statement x, 2. S believes that x is false or probably false (or, alternatively, S doesn't believe that x is true), and 3. S states x in a context in which S thereby warrants the truth of x. (Carson, 2006, p. 286)

Following W. D. Ross (see *chapter 1.2.2*), LIE-C construes lies as instances of (implicit) promise-breaking in the sense that they entail a breach of the commitment to truthful communication that is in place in ordinary contexts of language use. Carson argues that in everyday contexts, appending 'it's true that' doesn't contribute to a statement's significance³⁵; we should therefore take it as an implicit component of assertions. This stems from the fact that, in regular discourse, making a statement inherently implies a guarantee of its truthfulness.

³⁴ I discuss those in chapter 1.2.

³⁵ i) The sky is blue; ii) It's true that the sky is blue. Both i) and ii) convey identical meanings.

So, unless a speaker gives commonly shared ‘signals of unseriousness’ or speaks in a context where there is no implicit guarantee of the speaker’s truthfulness in place (e.g., in a theatre play or when forming sentences as grammar exercises), he implicitly warrants the truth of what he says and is violating this promise when being untruthful (thus, is lying).³⁶ In light of his third condition of truth warrant, Carson is reluctant to further qualify his notion of assertion. Similar to Sorensen, he holds that as long as bald-faced liars, knowledge liars and coerced liars do not give clear signs of unseriousness, they assert, and, in Carson case, also thereby warrant, the truth of what they say.

In addition to the fact that Carson’s account is less parsimonious than Sorensen’s, it narrows down the definition of lies. As Sorensen in his later response to Carson shows, it delivers the wrong verdict for bald-faced lies: In a situation where both speaker and audience know that what has been asserted is false, there is no such promise of truth-telling in place.

One can warrant *p* only if *p* might be the case. When the falsehood of *p* is common knowledge, no party to the common knowledge can warrant *p* because *p* is epistemically impossible. [...] A speaker can assert *p* without authorizing the hearer to assume *p*. (Sorensen, 2007, p. 254)

While this is an unintended shortcoming of Carson’s account, pragmatically, it makes no significant difference compared to Sorensen’s account when it comes to condemning specific cases of (bald-faced) lying. Sorensen’s account descriptively catches them as lies but regards them as morally neutral. Carson’s account fails to catch bald-faced lies in the first place, but has the advantage that it can be easily matched with moral accounts on lies, both deontological and consequentialist. Being inspired by Ross’ theory of *prima facie* duties, those lies that do fall under Carson’s definition are clearly instances of promise-breaking.

Don Fallis’ account on lies builds on LIE-S as well and adds as a third premise that the liars ‘believe[s] that Paul Grice’s first maxim of quality (namely, ‘Do not say what you believe to be false’) is in effect as a *norm of conversation* (2009, p. 33). Since contexts of joking, acting or being ironic are not regarded as subordinated to the truth norm,³⁷ Fallis’ account successfully rules them out without making use of the intend to deceive condition. It successfully captures

³⁶ Carson’s perspective on assertion is nuanced. He suggests that whether his view aligns with assertion depends on the definition used: if assertion is understood merely in terms of what he calls the “truth warrant,” then his account could be considered assertion-based. However, he is unwilling to accept any additional normative features beyond this definition (Carson, 2006, footnote 23).

³⁷ Fallis comments at length on these examples, holding that in such cases, the first Gricean norm of quality is ‘turned off’ – either by a signal given by the speaker (tone, gestures) or by the context, such as the uttering’s being part of a performance (for more details on his arguments, see Fallis (2010), in particular footnotes 20 and 21.

the cheating student, the frightened witness and the slaves in Spartacus as liars, since they clearly speak in a context where they know they are not supposed to say something that they believe to be false. Fallis' account is compatible both with deontological accounts of lies (e.g., the categorical imperative: *Do not break norms of conversation!*) and consequentialist accounts.

To sum up, all three accounts – Sorensen's, Carson's and Fallis' – work without the intention to deceive. Sorensen's account offers the broadest definition of lying. Carson's definitions, on the other hand, stress the *prima facie* moral wrongness of lying by making it an instance of promise-breaking. Fallis offers a narrower definition than Sorensen and remains agnostic with regards to how moral wrongness of lying is accounted for, but his definition can easily be matched with different ethical theories.

1.2 What is wrong with lying – normative approaches

Most people agree that lying is wrong. However, opinions diverge on where this moral wrongness stems from. While deontological accounts argue that lying is intrinsically wrong because it violates universal moral principles or duties, utilitarianists condemn a lie because of its bad consequences. Rule-consequentialists take a middle course by considering lying in general and assessing it in terms of its general consequences. Another way to raise the question is to ask whether one should not lie in principle, that is, never, or whether it depends on the situation whether lying is morally wrong, neutral or even required.

In the discussion of lies, moral accounts are usually characterized along the lines of the second question. Typically, they are divided into three camps: The first camp assumes that lying is intrinsically and (almost)³⁸ *always wrong*. These accounts tend to argue from a dogmatic or deontological perspective and are dubbed **absolutism**. The second camp, **act-utilitarianism**, argues that it is wrong to tell a lie if, all things considered, the costs outweigh the benefits. Sometimes, when lying has better consequences than not lying, we ought to lie. The moral valence of lying is *generally neutral*. A third camp adheres to what is known as the **David Ross account**, holding that it is a *prima facie* duty not to lie, but that there are exceptional cases where other duties may override it (thus, lying *generally wrong, with some exceptions*). More

³⁸ I say 'almost' because there has been a number of attempts to 'soothe' absolutism, e.g., by offering alternative readings of its supporters, such as Kant (see *chapter 1.2.1*).

than often, especially in recent debates on accounts of lies, philosophers do not endorse one or the other view, but abstain from fully committing themselves to a specific account.³⁹

In what follows, I shall outline a number of moral accounts on lies along the lines of the tripartition into absolutism, act-utilitarianism and rule-consequentialism. I will examine their main arguments why it is morally wrong to lie, see whether and how there can be cases where lying is permissible, and look at some important points of criticism they have earned. Furthermore, some philosophers think that there is a morally relevant difference between lying and deception, claiming that other things being equal, deception (or attempted deception) without lying is morally preferable to lying (which presupposes a clear distinction at the conceptual level between deception and lying). This last aspect shall be discussed along the approaches I just briefly outlined.

1.2.1 Moral absolutism about lies

One famous defender of moral absolutism, that is of the position that lying is always wrong, is Saint Augustine. In the *Enchiridion* he makes the theological argument that lying is always wrong because it misappropriates language, that is for something other than its intended purpose:

Now it is evident that speech was given to man, not that men might therewith deceive one another, but that one man might make known his thoughts to another. To use speech, then, for the purpose of deception, and not for its appointed end, is a sin. Nor are we to suppose that there is any lie that is not a sin, because it is sometimes possible by telling a lie, to do service to another. (Augustine, 1961, p. 29)

Now, what is the intended objective or ultimate aim of speech and language? Also, why is it universally considered improper to employ something for a purpose other than the one it was designed for? Augustine's response appears to assert that the 'appointed end' of speech is shaped by the divine intentions behind the creation of beings capable of linguistic expression. According to Augustine, all forms of falsehood run counter to the divine intent, as he draws

³⁹ Frequently, particularly in recent discussions about lies, philosophers avoid taking a definitive stance and instead choose to withhold full commitment to any specific explanation. This is especially the case with (social) epistemologists who are mainly interested in lies in terms of testimony. Usually, they content themselves to show that their descriptive accounts can be matched with one or more moral accounts, so that what they define as 'lies' is not just epistemically, but also morally blameworthy. This is in parts due to the fact that their main preoccupation lies with epistemological features of lies, but also has to do with the fact that to some people, different and mutually exclusive moral theories seem equally well justified in their verdict (the verdict is often the same, but they argue differently).

upon various passages from the Bible to substantiate his belief in God's disapproval of deceitful communication.

He further states that even if it involves saving the life of an innocent person, telling a lie would still be considered morally wrong. To illustrate this point, he presents a scenario where lying becomes necessary to prevent severe harm to a seriously ill person who may succumb to his ailment upon receiving distressing news. Specifically, he envisions a patient, already gravely ill, whose frailty cannot withstand the revelation of his only beloved son's death. The patient asks about the boy's status, posing a dilemma for the responder.

Augustine reasons that not responding to the query would lead the patient to assume his son's demise, perceiving the silence as an attempt to avoid lying. He goes on to highlight that among the three plausible responses, two are false—saying 'He is alive' or 'I don't know'—and would entail telling lies. However, if the responder provides the truthful answer, confirming the son's death, and if the patient experiences profound distress as a result, others might place blame on the responder for causing the father's anguish.

Augustine acknowledges being swayed by both these persuasive points and his empathy for the individuals entangled in this scenario. Yet, he asserts that his greater inclination is towards 'the radiance of truth'. Subsequently, he proceeds to advance a slippery slope argument against lying: if we were to accept the idea of lying about the son's survival to preserve the patient's well-being, a harmful precedent would be established. He proposes that if such a practice were allowed, the immoral act of lying would incrementally grow, gradually accumulating until it forms a substantial collection of deceitful acts. This aggregation of falsehoods would then become so vast and entrenched that it would be utterly impossible to discern any truthful foundation amidst it (see section 'Against Lying', pp. 170-72).

Most contemporary philosophers reject this argument. As Carson points out, there is no reason to think that allowing for exceptions in cases in which lying is necessary to save someone's life (or his soul) opens the door to constant lying. For a more detailed discussion of Saint Augustine's view, see Carson (2018, pp. 469-71).

Another famous ‘absolutist’ view of the morality of lies is attributed to Kant. Kant has the reputation of being a hardliner when it comes to lying: The traditional reading of ‘A supposed right to lie because of philanthropic concerns’ (1996b, pp. 353–604) and ‘On lies’ in ‘The metaphysics of morals’ (Kant 1996a, pp. 605–616) suggest that lies are universally unacceptable, irrespective of the circumstances.⁴⁰

In the ‘Metaphysics of morals’ (1996a, §52, 6:480, ‘Remarks’) we find a dialogue between an ethics teacher and his student, where both figures agree that ‘I ought not lie, no matter how great the benefits to myself and my friend might be’ (p. 481–82). In ‘A supposed right to lie...’ Kant argues that lying is wrong also in cases where it could prevent great harm. Responding to the French philosopher Benjamin Constant, who criticized Kant’s radical position, he discussed the case of a man who opens the door to a murderer who intends to kill the innocent victim the man is hiding in his home. When asked by the murderer if the victim is hiding in his home, the man should, according to Kant, not lie to him. Constant argues that in such a situation, there is no obligation to tell the truth, since the potential murderer does not have a right to know. Kant concedes that the man would not wrong the murderer by lying to him, but there are other reasons why he should speak the truth. First, a lie in such a context could easily turn true – if the victim fled the house while the man and the murderer are talking at the door, he might be caught by the latter precisely because of the man’s lie. In such a case, the man would be causally⁴¹ responsible for the murder (Kant & Wood, 1996b, pp. 425–7).

Second, and more importantly, irrespective of the harm or good a lie may cause in the concrete case, it always wrongs both ‘humanity in general’ and it ‘violates the dignity of humanity in one's own person’ (to honour it is ‘a duty towards oneself’). With regards to the latter, in the section ‘On Lying’ [§9] (6: p. 429–431) in his *Tugendlehre*, Kant holds:

⁴⁰ In the literature on Kant's view of lies, one finds, on the one hand, ‘traditional’ readings that comment on what Kant actually - i.e. literally - says about lies. This is where Kant's reputation as an absolutist comes from. On the other hand, especially in recent literature, philosophers discuss what Kant *could have said* about lying by applying an exegesis of other parts of his philosophy to the question of lying. This alternative reading seems motivated primarily by the fact that most philosophers are unwilling to adopt an absolutist prohibition on lying, but nevertheless recognize in Kantian philosophy promising resources for a more moderate account.

⁴¹ It is not clear to what extent he would also be morally responsible in Kant’s view. He gives a similar example in *The Metaphysics of Morals*, where someone lies out of politeness and because he is asked to: ‘a householder has ordered his servant to say ‘not at home’ if a certain human being asks for him. The servant does this and, as a result, the master slips away and commits a serious crime, which would otherwise have been prevented by the guard sent to arrest him. Who (in accordance with ethical principles) is guilty in this case? Surely the servant, too, who violated a duty to himself by his lie, the results of which his own conscience imputes to him.’ (Kant & Wood, 1996a, p.554, 6:431)

The greatest violation of a human being's duty to himself regarded merely as a moral being (the humanity in his own person) is the contrary of truthfulness, lying (*aliud lingua promptum, aliud pectore inclusum gerere*).⁴² [...] Lying (in the ethical sense of the word), intentional untruth as such, need not be harmful to others in order to be repudiated; for it would then be a violation of the rights of others. It may be done merely out of frivolity or even good nature/ the speaker may even intend to achieve a really good end by it. But his way of pursuing this end is, by its mere form, a crime of a human being against his own person and a worthlessness that must make him contemptible in his own eyes. (Kant and Wood, 1996a, p. 552)

Interestingly, Kant makes an argument similar to Augustine's, albeit without God: by bearing false witness to facts, by saying the opposite of what he thinks, the liar violates 'the natural purposiveness of the speaker's capacity to communicate his thoughts'.

The human being as a moral being (*homo noumenon*) cannot use himself as a natural being (*homo phaenomenon*) as a mere means (a speaking machine), as if his natural being were not bound to the inner end (of communicating thoughts), but is bound to the condition of using himself as a natural being in agreement with the declaration (*declaratio*) of his moral being and is under obligation to himself to truthfulness. (Kant and Wood, 1996a, 552, 6: p. 430)

The liar negates his human dignity and reduces himself to 'an object of moral contempt' of 'less worth than a thing'. The dishonour that accompanies a lie also accompanies a liar like his shadow, so Kant.

By a lie a human being throws away and, as it were, annihilates his dignity as a human being. A human being who does not himself believe what he tells another (even if the other is a merely ideal person) has even less worth than if he were a mere thing; for a thing, because it is something real and given, has the property of being serviceable so that another can put it to some use. But communication of one's thoughts to someone through words that yet (intentionally) contain the contrary of what the speaker thinks on the subject is an end that is directly opposed to the natural purposiveness of the speaker's capacity to communicate his thoughts, and is thus a renunciation by the speaker of his personality, and such a speaker is a mere deceptive appearance of a human being, not a human being himself. (ibid.)

In addition to self-deprecation, the liar also wrongs humanity. Not only does she violate her own dignity, but the dignity as a universal property she has *qua* being human (*Menschenwürde*).⁴³ In 'On a supposed right to lie...', Kant explicitly distinguishes between the *harm* and the *wrong* a lie can cause. In some cases, lying may not cause any harm or even promote good (e.g., saving an innocent), but it does nevertheless wrong to the *a priori principle* that 'must never be forsaken, however apparently danger is involved in it'.

[...] here one must understand the danger not as that of accidentally doing harm [schaden] but in general as the danger of doing wrong [unrecht]. And such wrongdoing [unrecht] would occur if I made the duty of truthfulness, which is wholly unconditional and which constitutes the supreme juridical condition in assertions, into a conditional duty subordinate to other considerations. [...] and although by telling a certain lie I in fact do not wrong anyone, I nevertheless violate the principle of right in regard to all unavoidably necessary statements generally. (Kant and Wood, 1996b, p. 429)

⁴² In English, 'to have one thing shut up in the heart and another ready on the tongue.'

⁴³ It is important to note that Kant supports Aristotelian universalism when it comes to the relationship between entities and their properties, meaning that the entities are primary and their properties exist only instantiated - i.e. only in things (*in rebus*). Moreover, properties do not primarily belong to individuals or single things, but to *kinds*. Therefore, if one does something that modifies (e.g., 'violates') a property that is essential to all humans (such as human dignity), all things (e.g., humans) instantiating this property will be affected by it.

From Kant's perspective, wrongdoing (*Unrecht tun*) is 'much worse' than harming (*schaden*), just as 'committing an injustice against a principle' is much worse than wronging an individual person. Finally, Kant suggests an argument about the legal and political consequences if we allowed occasional lying. Once more similar to Saint Augustine's point, Kant claims that the laws of duties of contracts (which he holds are founded in the duty of truthfulness) 'would be rendered uncertain and useless if even the 'slightest exception' to them was permitted:

[...] truthfulness is a duty that must be regarded as the basis of all duties founded on contract, and the laws of such duties would be rendered uncertain and useless if even the slightest exception to them were admitted. (Kant and Wood, 1996b, p. 427)

Ever since Kant expressed his views on lying, philosophers have voiced their disagreement, arguing that such an approach is far too radical, unpracticable, repellent, or simply false (especially the prediction that if exceptions to the prohibition of lying were allowed, society would inevitably find itself in a situation where all our contracts become void and lose their force). It is important to note that what is primarily being attacked in these discussions is absolutism, not Kant. There are 'alternative' readings of Kant arguing from different directions that his moral philosophy is actually not, or not necessarily, an absolutist one when it comes to lying, e.g., by claiming that according to Kant, a forced utterance would not qualify as a statement or by building in Constant's idea that lies are only lies when the person being lied to has a right to know the truth. These attempts aim at 'softening' (Carson, 2018, p. 475) absolutism by typically narrowing the definition of lies so that examples like the murderer-case would pass as no lies. They also explore alternative deontological views, by discussing lying, for instance, with regards to Kant's categorical imperative (first and second version), even though Kant himself never made use of the categorical imperative when discussing lying.

The main rival view to absolutism, or softened absolutism, is, however, consequentialism, such as present in act-utilitarianism and rule-consequentialism.⁴⁴ A third road is offered by W. D. Ross who develops a novel (pluralistic) deontological ethical theory that is rivalling both Kantianism and act-utilitarianism and is sometimes built into rule-consequentialist accounts.

1.2.2 Consequentialist accounts and Ross' theory of *prima facie* duties

⁴⁴ Richard Brandt (1979, p. 10) categorized utilitarianism into two types which he coined 'act-utilitarianism' and 'rule-utilitarianism': one assessing particular, individual actions based on their consequences and the other evaluating actions in general by their alignment with established rules which justified by societal outcomes. This differentiation is helpful to distinguish these two approaches in general but has its limits when it comes to concrete account which often display elements of both (such as Mill and Ross which shall be discussed below).

Act-utilitarianists claim that in a given situation, one should do whatever will have the best possible consequences, or, as Carson puts it: ‘A [particular] act is morally right if and only if there is no other possible alternative act open to the agent that would result in a better balance of good consequences relative to bad consequences’.⁴⁵ Act-utilitarianists hold that lying can sometimes be morally acceptable if it prevents severe negative outcomes. While most people accept this premise, criticism arises due to the theory's perceived leniency towards lying. Critics argue that it allows lying in situations where it would be considered morally wrong to lie.

John Stuart Mill addresses the objection that act-utilitarianism permits lying whenever it is convenient. While acknowledging that lying might lead to immediate positive consequences, like averting conflicts or sparing embarrassment, Mill contends that these short-term benefits are generally outweighed by the long-term negative effects of violating ‘the sacred rule’ of lying: it erodes honesty and truthfulness and undermines the trust we place in each other's statements. However, there can be exceptions where lying is permissible.

But inasmuch as the cultivation in ourselves of a sensitive feeling on the subject of veracity, is one of the most useful, and the enfeeblement of that feeling one of the most hurtful things to which our conduct can be instrumental; and inasmuch as any, even unintentional, deviation from truth, does that much towards *weakening the trustworthiness of human assertion, which is not only the principal support of all present social well-being, but the insufficiency of which does more than any one thing that can be named to keep back civilisation, virtue, everything on which human happiness on the largest scale depends; we feel that the violation, for a present advantage, of a rule of such transcendent expediency, is not expedient[...]* Yet that even this rule, sacred as it is, admits of possible exceptions, is acknowledged by all moralists; the chief of which is when the withholding of some fact (as of information from a male-factor, or of bad news from a person dangerously ill) would preserve some one (especially a person other than oneself) from great and unmerited evil, and when the withholding can only be effected by denial. (Mill, 2018, p. 14, *my emphasis*)

Note that Mill's argument here is not purely act-utilitarianist.⁴⁶ Act-utilitarianism can provide two additional arguments against lying. Firstly, lies often inflict harm by leading others into deception. Deception hampers individuals by causing them to act based on false information, impeding their pursuit of goals and interests. While obscure and irrelevant facts seldom cause harm when misunderstood, deceiving others usually revolves around matters that concern them directly. Deceptive acts are usually aimed at influencing their actions. Therefore, when we

⁴⁵ As Carson (2018, p. 477) further points out, some philosopher, such as Mill and Sidgwick, define (act)-utilitarianism more narrowly as hedonistic consequentialist views; also, Mill's account is not purely act-utilitarianist but also shows some rule-consequentialist and deontic features (West, 2003, p. 75).

⁴⁶ There is a discussion in the literature to what extent Mill's account can be associated with act-utilitarianism, rule-utilitarianism and other ethical theories (see, e.g., West, 2003, pp. 74-95). In the paragraph cited above, his considerations of lying clearly go beyond a cost-benefit accounting of concrete acts. His claim that lying undermines trust and truthfulness in society is, however, not universal but inductive. At a later point he says that when assessing long-term and large-scale consequences, we must learn by experience, taking into consideration ‘the tendencies of actions’ throughout the history of our species (Mill, 2018, p. 15).

deceive others, we generally manipulate them into actions they would not do if not deceived, thus causing harm or risking harm to them.⁴⁷

Secondly, lies often have negative consequences for the liar. Many of us would suffer significant harm to our interests if perceived as dishonest. Consequently, for most people, it seems highly disadvantageous to be caught lying. Even when our lies remain hidden, the effort required to uphold the façade of truthfulness can be considerable.⁴⁸ We must remain vigilant, recall our statements, and monitor our interactions and emotional responses. As Sorensen puts it: ‘Lying is mentally taxing because you cannot depend on reality to be your memory bank’ (Sorensen, 2007, p. 253). Consequentialist accounts deem all these negative outcomes of lying as morally significant and compelling reasons to avoid it.

While defenders of act-utilitarianism tend to focus on the consequences of particular actions, rule-consequentialists abstract from particular actions and their consequences to the general case. The rightness or wrongness of actions is determined either by considering the outcome if everyone followed the same action or by whether they are conforming to an – actual or ideal – moral code that, if widely accepted, would result in better consequences than any alternative moral code.

One influential approach that is sometimes associated with rule-consequentialism is Sir David Ross’ theory of *prima facie* duties (in recent literature also discussed more generally under the label ‘Ross-style moral pluralism’, presupposes a plurality of first principles).⁴⁹ *Prima facie* duties refers to one’s actual duty, other things being equal. Another way to put it is as a duty that holds true as long as it doesn’t clash with another *prima facie* duty of equal or greater significance (Ross, 2002 [1930], p. 19). In his framework, he formulates eight *prima facie* duties:

1. The duty to keep promises.
2. The duty not to lie.
3. The duty to make reparations to people one has harmed.

⁴⁷ Note that this is a strong argument from moral philosophy for descriptive accounts that hinge on the intention to deceive. As points out Jennifer Lackey, deception makes apparent the *prima facie* wrongness of lying.

⁴⁸ Empirical support for the widely-shared hypothesis that lying is generally cognitively more taxing than truth-telling can be found, e.g., in Zuckerman et al., 1981).

⁴⁹ In the wake of Ross’s approach, a wide variety of approaches have developed that pick up on his idea in different ways. There are also discussions about how exactly Ross’ theory should be classified in the existing landscape of approaches. Traditionally, Ross’ is treated as a representative of deontological ethics. However, his *prima facie* duties are often taken up by representatives of rule-utilitarianism. Regarding the overlaps, similarities, and differences between Ross’s theory and rule-utilitarianism, cf. Hooker (1996, p. 531-552).

4. The duty of gratitude.
5. The duty to distribute happiness according to merit, i.e., moral goodness.
6. The duty to do things that benefit others.
7. The duty to improve one's own intellect and moral character.
8. The duty not to harm others.

Defenders of the descriptive account of lies that appeal to trust, truth warrant, etc., identify the duty not to lie also as a special case of the duty to keep promises: whenever we engage in communication using language, we inherently imply a commitment to honesty (Ross, 2002 [1930], p. 21). Uttering a falsehood is essentially equivalent to breaking a promise or making one in bad faith.⁵⁰ Ross's view has been incorporated into standard versions of rule-utilitarianism, such as the accounts proposed by Brad Hooker and Richard Brandt.⁵¹ Both agree with Ross that that the ideal moral code includes the *prima facie* duty not to lie, and neither of them adopts the duty not to deceive other. The objections Ross and followers raise against act-utilitarianism is that, first, in cases where the consequences of lying are in sum equal to those of not lying, it does not matter whether one keeps or breaks the promise to tell the truth. Second, in cases where lying produces overall slightly better consequences than not lying, act-utilitarians think one should lie. Ross and his followers consider these obviously wrong (i.e., counter-intuitive) verdicts.⁵²

To sum up, absolutism about lying, i.e., views holding that one should *never* lie, is widely regarded as counter-intuitive and most philosophers think that the arguments supporting it are not enough to justify a categorical prohibition. As the examples discussed have shown, the duty not to lie may conflict with other moral duties, such as the duty not to harm others or to protect them from harm. Saying that lying is always wrong therefore implies assuming that the duty not to lie is always more important than any conflicting duties. Both rule-utilitarianism and Ross' view are considered promising moral accounts on lying, although the latter's argument against act-utilitarianism relies mainly on intuition and is therefore discussed controversially.

Furthermore, we may ask whether there is a morally relevant difference between lying with and without deception. Kant, Ross, and rule-consequentialism hold that there is a duty not to

⁵⁰ Note that while there is an obligation to abstain from lying, Ross does not make it a *prima facie* duty to not deceive others. Deceiving may sometimes fall under the duty to not inflict harm.

⁵¹ A summary of their accounts with regards to lying can be found in Carson (2018, pp. 469-82), drawing on their main oeuvres Hooker (2000) and Brandt (1979).

⁵² There are, however, conflicting intuitions about these cases. To Moore, for example, it is 'self-evident that knowingly to do an action which would make the world, on the whole, really and truly worse than if we had acted differently, must always be wrong.' (Moore, 1965, p. 77, *cited after Carson, 2018*)

lie, but no duty not to deceive, which suggests that deception without lying is better than deception with lying. Also, deception seems to be conceived of *not* being essential to lying.⁵³ Consequentialist accounts (act-utilitarianism and generalizing rule-consequentialism, but not moral code accounts) use the same yardstick to evaluate lies and deception, that is in terms of their consequences. Especially act-utilitarianism faces a challenge to account for lies that do not fool anyone, such as bald-faced lies.⁵⁴ This is so because the harm caused by lying typically arises from the fact that people are (potentially) being deceived into believing something false. It is hard to see what epistemic harm a common-knowledge lie could do to the individual being lied to. Also, a bald-faced liar does not pay the prize of always remaining on guard in order not to expose herself, since everyone knows already that she is lying.

Some philosophers, such as Jennifer Lackey, claim that it is precisely the element of deception that constitutes the *prima facie* moral wrongness of lies.⁵⁵ If we sever the ties between lying and deception, we strip lying of its *prima facie* moral wrongness, or, in other words: If deception (or attempted deception) is not necessary for lying, where does its general moral wrongness stem from?⁵⁶ This is certainly so when non-deception-based accounts are combined with moral views such as act-utilitarianism.⁵⁷ However, most descriptive accounts without deception either formulate a third condition that involves norm breaking or trust breaking (see, e.g., Carson, Fallis), and/or explicitly commit to moral accounts that stress the *prima facie* moral wrongness of promise-breaking and lying.

⁵³ Ross, Hooker and Brandt do not explicitly comment on this. Kant makes this point explicitly. In order to stress their difference, he gives an example where someone is acting as if he went on a holiday so others might infer the false conclusion but does not make an untruthful statement.

⁵⁴ In a case such as the cheating student, where the latter greatly benefits from lying (avoiding punishment) while not fooling anyone, act-utilitarians would judge lying justified.

⁵⁵ This is so because the epistemic harm is accomplished by deception.

⁵⁶ With 'prima facie moral wrongness' of lying, Lackey means the view that lying, in general, is wrong, unless there are strong, positive reasons that justify lying. This reproach of hers to non-deception-based accounts is very similar to the argument Ross made against act-utilitarianism, namely that lying *per se* is conceived of as morally neutral (which is seen as strongly counter-intuitive).

⁵⁷ Sorensen's minimalistic view is a potential candidate for such criticism. However, he does not commit to any particular moral account when presenting his descriptive account on lies.

2. Jennifer Lackey's account on individual lies, selfless assertion, and group lies

In this chapter, I will address Jennifer Lackey's account on lies as well as the concepts of 'selfless assertion' and 'group lies,' which are closely related to it. Since these are to be found not in a single work but appear across various publications of hers (2021, 2018, 2014, 2013, 2008, and 2007), I shall briefly outline the literary and philosophical context in which Lackey discusses these topics and explain their function within the respective works.

Proceeding chronologically, Lackey first touches upon the issue of lies peripherally in her article *Norms of assertion* from 2007. Her primary aim in the paper is to challenge and refute the view that only knowledge warrants assertion, thereby disproving the largely accepted *KNA* (Knowledge Norm of Assertion: 'One should assert that *p* only if one knows that *p*'). Lackey argues that this norm is too strong, as there are cases where speakers do not know (and may not even *believe*) what they assert but are nevertheless not epistemically or morally blameworthy. In some cases, they may even deserve praise. The concept of assertion in the absence of belief raises, among other issues, the question of lies. Lackey does not provide a straightforward account of lies here, but mainly defends her account of selfless assertion (which I will return to shortly). The subject of lies is conceptually used to delineate selfless assertion and defend it against moral blame. A more extensive version of her line of argument here can be found in the fourth chapter of her book *Learning from Words: Testimony as a Source of Knowledge*, published in 2008.

A further *ex negativo* treatment of lies can be found in Lackey's essay 'A Deflationary Account of Group Testimony' in the anthology *Essays on Collective Epistemology* (2014). Here, the considerations from her work on individual testimony and assertion are connected with her deflationary account of groups as epistemic agents. The upshot with regards to lies is the same as in earlier writings: there can be proper assertion (such as selfless assertion) in the absence of the relevant belief on behalf of the speaker without it being a lie. Her view of lies in this context is part of her broader argument about the correct model of testimony. Contrary to the traditional transmissive view, Lackey argues that testimony, unlike memory, does not require that the belief or knowledge that is being conveyed be also possessed by the asserter themselves. This is so, Lackey holds, because we do not learn from one another's beliefs but from one another's *words*, construing testimony itself is an irreducible epistemic source capable of not only transmitting, but also *generating* knowledge.

Finally, lies occupy a significant space in Lackey's book *The Epistemology of Groups* (2021). Here, Lackey develops a new account on lies that hinges on a weaker version of the intention to deceive

condition.⁵⁸ While acknowledging that traditional deception-based accounts fail the counterexamples presented against them, Lackey argues that this does not mean we should sever the ties between lying and deception. Methodologically, she first discusses prominent non-deception-based accounts (such as those by Carson', Sorensen', and Fallis', for an in-detail analysis see Chapter 1.1.3) and traces how they indeed capture counter-examples to the traditional deception-based accounts, as they claim.⁵⁹

Then, Lackey introduces new counter-examples to these non-deception-based accounts, among which CREATIONIST TEACHER, which constitutes an instance of what she in previous publications termed 'selfless assertion.' According to Lackey, all three non-deception-based accounts are incorrect because they wrongly identify CREATIONIST TEACHER as an instance of lying. This failure, she argues, stems from their complete divorce of lying from deception. Subsequently, she presents her own account of lying with a weaker version of the intention to deceive, which she calls being deceptive. LIE-L, she claims, provides the correct verdict in the CREATIONIST TEACHER case as well as for the counter-examples to deception-based and non-deception-based accounts that have been raised so far.⁶⁰ Finally, she extends her definition of individual lies to group lies by connecting her lie account to her model of groups as epistemic agents that she has developed throughout the book. This model of group lies can be found, in almost exactly the same version as in the book, in Lackey (2018).

In this chapter, I will focus on outlining Lackey's account on lies as present in *The Epistemology of Groups*, but draw on her other publications where necessary. I will primarily refer back to her earlier writings when examining the connection between her account of individual lies and her account of selfless assertion. In chapter 2.1, I will reconstruct Lackey's criticism of non-deception-based accounts and present her accounts of selfless assertion and lies. In 2.2, I will outline her account of group lies.

2.1 Lackey on individual lies

In what follows, I will lay out Jennifer Lackey's account on individual lies as presented in the fifth chapter of her book (2021). Following her line of argument, I will first discuss her account on individual lies (Chapter 2.1). After having sketched out her critique of non-deception-based accounts and her concept of selfless assertion (2.1.1), I outline her definition of lies in terms of its three main conditions: assertion, untruthfulness, and the intention to be deceptive (2.1.2). In particular, I shall explore her differentiation between deception and deceit, of which, according to Lackey, only the latter is necessary

⁵⁸ An in-detail overview of accounts employing stronger versions (which I have termed *deception-based accounts*) can be found in chapter 1.1.1.

⁵⁹ Having laid out, analysed and discussed these three accounts myself in the previous chapter, I will limit myself to highlight the particularities of Lackey's view on them.

⁶⁰ This defence of her individual account of lies can be found almost verbatim in her paper from 2013.

for lying. In Chapter 2.2, I will then examine the role Lackey's account of lies in light of her epistemology of groups. After having described the overall aim of her book and the role lies play in it, I see what conclusions can be drawn from it for collective lying when matched with her individual lie account. Here, I will elaborate on two essential components that, alongside the definition of lying, play a significant role: Lackey's understanding of group assertion, group belief, and untruthfulness.

2.1.1 Lackey's critique of non-deception-based accounts of lies and the concept of selfless assertions

The fifth chapter of *The Epistemology of Groups* (2021), entitled "Group Lies", starts with an overview of the ongoing philosophical debate on understanding lies in individuals, which Lackey considers '[a] natural place to turn in trying to understand the nature of a group lie.' (2021, p.166) Her individual account subsequently serves as a foundational model for the concept of group lies developed later in the chapter.

Lackey roughly distinguishes between two traditions in the philosophical literature on lying. The first, 'traditional' approaches are characterized by an understanding of lies that is based on the intention to deceive. I shall continue to refer to these approaches as *deception-based accounts*. The second, more recent tradition challenges this definition by highlighting cases where lies are identified intuitively, despite a lack of intention to deceive. I have discussed such accounts at length under the label *non-deception-based accounts* in chapter 1.1.3. Common to these two camps is, as we have seen, their understanding of lies in terms of the following two base conditions: **A lies to B iff (1) A states/asserts that p to B, (2) A believes that p is false.**

While both traditions accept these conditions as necessary for lying, neither considers them sufficient. Lackey now sets about weighing up the differences, as well as the strengths and weaknesses of both sides. Proponents of deception-based account⁶¹ postulate as an additional condition (3) *A intends to deceive B by stating that p* . An obvious strength of these accounts is that they stress the *prima facie* moral wrongness of lying, so Lackey. Furthermore, they successfully distinguish lies from other forms of insincere speech, such as joking or acting. Despite being the prevailing view until recently, condition (3) has faced significant criticism.

⁶¹ As proponents of various versions of the traditional view Lackey cites Isenberg (1964), Chisholm and Feehan (1977), Williams (2002), and Mahon (2008).

Lackey presents three types of counter-examples against deception-based accounts which we have already met: (i) bald-faced lies, (ii) knowledge-lies and (iii) coercion-lies.⁶²

- (i) **bald-faced lie:** Instances where both the speaker and the listener are aware that the statement is false. For example, a student caught cheating on an exam denies it before the Dean, although both are aware of the cheating.
- (ii) **knowledge-lie:** Lies intended to prevent the listener from discovering the truth, but not necessarily to deceive them into believing the falsehood. For instance, Crassus, the Roman general, asks recaptured slaves to identify Spartacus; in response, the slaves falsely claim to be Spartacus to protect the real Spartacus.
- (iii) **coercion-lie:** Lies made under duress, where the speaker does not intend to deceive but is coerced into lying. An example is a witness who lies about not seeing a crime due to threats from the Mafia.

Supporters of non-deception-based accounts argue that in neither of those cases there is an intention on the part of the speaker to deceive the hearer. Nevertheless, the speaker is in all three cases lying. Therefore, the intention to deceive is not a necessary condition for lying. Lackey acknowledges these cases as instances of lying and examines the three non-deception-based accounts that brought them forward: Fallis (2009), Carson (2010), and Sorensen (2007):

LIE-F: A lies to B iff (1) A states that p to B, (2) A believes that p is false, and (3) A believes that she makes this statement in a context where the following norm of conversation is in effect: *Do not make statements that you believe to be false.* (Fallis, 2009, p. 34).

LIE-C: A lies to B iff (1) A states that p to B, (2) A believes that p is false or probably false (or alternatively: A does not believe that p is true), and (3) A intends to warrant the truth of that p to B. (Carson 2010, p. 37)

LIE-S: A lies to B iff (1) A asserts that p to B, (2) A does not believe that p . (Sorensen 2007, p. 256)

Lackey notes that these accounts capture the counter-examples cited above, correctly identifying the three types of examples — bald-faced lies, knowledge lies, and coercion lies — as lies. Moreover, they successfully rule out cases where speakers are joking, being ironic, or reciting lines from a play. All three accounts, Lackey concludes, capture hitherto discussed examples of lies without relying on the intention to deceive condition.

In what follows, she argues, though, that completely severing the ties between lies and deception was both premature and a mistake. In her critique of non-deception-based accounts consists in two major steps: First, she demonstrates that it is not necessary, as has been claimed, to abandon deception altogether. Only the intention to deceive, understood in a strong sense ('the action or practice of deceiving someone by concealing or misrepresenting the truth'),

⁶² Detailed original versions of these examples, along with the authors' discussion, can be found in Chapter 1.1.3. For the sake of clarity, I will briefly summarize them here.

needs to be rejected. By adopting a weaker version, which Lackey calls ‘being deceptive,’ the *prima facie* moral wrongness of lying can be maintained, and the previously discussed examples of lies can be correctly identified.⁶³

Secondly, and this is her main point in refuting non-deception accounts, sticking to a weaker version of deception is necessary for accounting for some instances of lies. Neither of the alternative conditions posed by non-deception-based accounts is sufficient. To illustrate this, she introduces the following three examples: DECEPTIVE ANTHROPOLOGIST, SABOTAGING FRIEND and CREATIONIST TEACHER. Sorensen’s and Fallis’ account fail DECEPTIVE ANTHROPOLOGIST, while Carson’s account delivers the wrong verdict in SABOTAGING FRIEND. Finally, all three accounts fail CREATIONIST TEACHER. CREATIONIST TEACHER, so Lackey claims, is an instance of a whole category of phenomena, selfless assertion, that can be distinguished from lies precisely – and only – by the absence of any intent to being deceptive on behalf of the selfless asserter.

I shall start tracing her arguments in terms of the former two examples, which pose problems to some but not all three non-deception-based accounts. They go as follows:

SABOTAGING FRIEND: Fran wants to sabotage the relationship between Sam and Betty, but does not want to be held responsible for their break-up. So, she tells Sam, ‘Betty is cheating on you, but don’t take my word for it.’ Fran not only believes that it is false that Betty is being unfaithful, she also offers her assertion with the deliberate intention to deceive Sam. (Lackey, 2021, p. 177)

DECEPTIVE ANTHROPOLOGIST: Shawn is an anthropologist who visits a highly isolated tribal community living in the Amazon rainforest. He does not have any beliefs at all about the norms governing the conversations in their interactions. Nevertheless, he wishes to gain their trust quickly, and so he states to them, ‘My grandmother was an anthropologist who lived with members of your tribe decades ago, and so I feel as though I already know you.’ Not only does Shawn believe that this is false, he also states this with the intention to deceive the tribe members into believing that he has a personal connection with their ancestors. (Lackey, 2021, p. 176)

In DECEPTIVE ANTHROPOLOGIST, Shawn does not meet condition (3) of LIE-F because he does not recognize the conversational norm ‘*Do not make statements you believe to be false*’ to be in effect. However, this lack of recognition does not stop him from lying. Shawn not only

⁶³ I will unwrap this line of argument in the next subchapter, where Lackey presents her own account of lying with ‘the intention of being deceptive’ as a third condition and shows how we can, using such a weaker version, still account for bald-faced lies, knowledge lies, and coercion lies. There, I will also explain in detail what Lackey intends by ‘being deceptive’ and how it is to be distinguished from ‘deceiving’. In chapter 3.1, when critically assessing Lackey’s account, I will come back to the precise role ‘being deceptive’ plays, according to her, in these examples. For now, my aim is to outline her refutation of the LIE-F, LIE-C, and LIE-S, and her building counter-examples that intuitively clearly represent instances of lies, but these accounts fail to capture (which shows them being misguided).

makes a statement he knows to be false but also does so with the explicit intention of deceiving the tribe members into believing it. The fact that Shawn's statement is a lie is further supported by considering that a committee investigating an alleged ethics violation related to his research methods would hardly accept his defence if he claimed, 'I didn't lie to the tribe members since I was unaware of the conversational norms in their community.' Fallis account, Lackey concludes, thus delivers the wrong verdict in a clear instance of a lie.

In SABOTAGING FRIEND, Fran does not meet condition (3) of LIE-C because she does not intend to warrant the truth of the proposition that Betty is cheating on Sam. In particular, she wants to avoid taking responsibility for Betty and Sam breaking up by explicitly stating that she is not promising or guaranteeing the truth of her claim. Despite this, it is evident that Fran is lying to Sam.⁶⁴ She acknowledges in a footnote that a similar argument and counterexample was already raised against Carson by Fallis.⁶⁵ While she accepts Carson's defense there, she maintains that 'if this response works with respect to Fallis' case, it does not seem at all plausible with respect to SABOTAGING FRIEND.' (Lackey, 2021, p. 177) The example shows that Carson's account does not work on such lies.

Now let me come to Lackey's main example CREATIONIST TEACHER that all three non-deception-based accounts allegedly fail, and that is subsequently classified as an instance of a category of phenomena called *selfless assertions*, which, according to Lackey, we must systematically distinguish from lies. It goes as follows:

CREATIONIST TEACHER: Stella is a devoutly Christian fourth-grade teacher, and her religious beliefs are grounded in a personal relationship with God that she takes herself to have had since she was a very young child. This relationship grounds her belief in the truth of creationism and, accordingly, a belief in the falsity of evolutionary theory. Despite this, Stella fully recognizes that there is an overwhelming amount of scientific evidence against both of these beliefs. Indeed, she readily admits that she is not basing her own commitment to creationism on evidence at all but, rather, on the personal faith that she has in an all-powerful creator. Because of this, Stella thinks that her religious beliefs are irrelevant to her duties as a teacher; accordingly, she regards her obligation as a teacher to include presenting material that is best supported by the available evidence, which clearly includes the truth of evolutionary theory. As a result, while presenting her biology lesson today, Stella asserts to her students, 'Modern day Homo sapiens evolved from Homo erectus', though she herself does not believe this proposition. (Lackey 2021, p. 174)

⁶⁴ This conclusion, so Lackey, is reinforced by the similarity of her situation to the paradigmatic case of Iago lying to Othello about Desdemona's fidelity.

⁶⁵ Fallis (2009) presents a counterexample to Carson's view where a witness to a murder follows up his statement that 'Tony was with me at the time of the murder' by saying, 'Of course, you know I am really bad with dates and times' (p. 49). Carson responds to this case as follows: 'If the proviso 'you know that I am bad with dates' is intended to weaken, but not remove, the assurance of truth, then my... definition counts this statement as a case of lying. On the other hand, if the proviso is intended to completely remove or nullify any assurance of truth then the statement is not a lie' (Carson, 2010, p. 38-9).

Lackey claims the right verdict here is ‘Stella is not lying’. However, on all three non-deception-based accounts, so she argues, Stella’s assertion counts as a lie. We should therefore reject these accounts. Before looking at Lackey’s own proposal, let me sketch out her criticism and rejection on the basis of CREATIONIST TEACHER more in detail by focusing on Fallis’ account. Lackey argues here as follows:

Stella’s statement that *Homo sapiens* evolved from *Homo erectus* clearly satisfies the conditions put forth in LIE-F, LIE-C, and LIE-S. She offers this statement to her students, where she herself believes that it is false. Moreover, since she clearly does not regard the context of her classroom as an ironic, humorous, or theatrical one, she does so while believing that the following norm of conversation is in effect: *Do not make statements that you believe to be false.* (Lackey 2021, p. 175)

The pages have thus turned to quickly, concludes Lackey. Cases such as CREATIONIST TEACHER show that accounts that divorce lying from deception categorically deliver the wrong verdict for selfless assertions. Additionally, LIE-S, LIE-F, and LIE-C individually also fail other examples where deception (in a weaker form) plays a role, which point in the same direction: It is a mistake to sever the ties between lying and deception. Before moving to discussing Lackey’s own account and her conception of ‘being deceptive’, I will take a closer look on her concept of selfless assertion as outlined in other writings of hers. Although CREATIONIST TEACHER is the only example provided in the book *The Epistemology of Groups*, Lackey refers in a footnote to earlier articles where she gives further examples of selfless assertion (2007, 2008) and a definition.

As already mentioned, Lackey (2007) and (2008) treat lies and selfless assertion in the context of norms of assertion and testimony. Lackey’s main goal there is to challenge and refute the view that only knowledge warrants assertion, proving false the *KNA* (Knowledge Norm of Assertion: ‘One should assert that *p* only if one knows that *p*’). Lackey argues there that the *KNA* is too strong, for there are cases where speakers do not know (and may not even believe) what they assert but are nevertheless not morally blameworthy and may even deserve praise. Selfless assertions are one such case. In addition to the CREATIONIST TEACHER case in her book, Lackey provides two more examples of selfless assertion.

DISTRAUGHT DOCTOR: Sebastian is an extremely well-respected paediatrician and researcher who has done extensive work studying childhood vaccines. He recognizes and appreciates that all of the scientific evidence shows that there is absolutely no connection between vaccines and autism. However, shortly after his apparently normal 18-month-old daughter received one of her vaccines, her behavior became increasingly withdrawn and she was soon diagnosed with autism. While Sebastian is aware that signs of autism typically emerge around this age, regardless of whether a child received any vaccines, the grief and exhaustion brought on by his daughter’s recent diagnosis cause him to abandon his previously deeply-held beliefs regarding vaccines. Today, while performing a well-baby checkup on one of his patients, the child’s parents ask him about the legitimacy of the rumors surrounding vaccines and autism. Recognizing both that the current doubt he has towards vaccines was probably brought about through the emotional trauma of dealing with his daughter’s condition and that he has an obligation to his patients

to present what is most likely to be true, Sebastian asserts, ‘There is no connection between vaccines and autism.’ In spite of this, at the time of this assertion, it would not be correct to say that Sebastian himself believes or knows this proposition. (Lackey, 2007, pp. 598-9)

RACIST JUROR: Martin was raised by racist parents in a very smallminded community and, for most of his life, he shared the majority of beliefs held by his friends and family members. After graduating from high school, he started taking classes at a local community college and soon began recognizing some of the causes of, and consequences of, racism. During this time, Martin was called to serve on the jury of a case involving a black man on trial for raping a white woman. After hearing the relatively flimsy evidence presented by the prosecution and the strong exculpatory evidence offered by the defence, Martin is able to recognize that the evidence clearly does not support the conclusion that the defendant committed the crime of which he is accused. In spite of this, however, he can’t shake the feeling that the man on trial is guilty of raping the woman in question. Upon further reflection, Martin begins to suspect that such a feeling is grounded in the racism that he still harbors, and so he concludes that even if he can’t quite come to believe that the defendant is innocent himself, he nonetheless has an obligation to present the case to others this way. Shortly after leaving the courthouse, Martin bumps into a childhood friend who asks him whether the ‘guy did it.’ Despite the fact that he does not believe, and hence does not know, that the defendant in question is innocent, Martin asserts, ‘No, the guy did not rape her.’ (Lackey, 2007, p. 598)

In addition to these three examples⁶⁶, Lackey offers a definition of selfless assertion that characterises phenomena of this type as sharing three main components:

first, a subject, for purely non-epistemic reasons, does not believe (and hence does not know) that p ; second, despite this lack of belief, the subject is aware that p is very well supported by all of the available evidence; and, third, because of this, the subject asserts that p without believing and, hence, without knowing that p . (Lackey 2007, p. 599)

To sum up, we can conclude that the three examples satisfy Lackey’s definition of selfless assertion insofar as all three of them constitute Moorean paradox-like cases where the speaker is prevented by ‘non-epistemic reasons’ (such as intuition, religion, trauma, or prejudice) from forming an appropriate belief based on the available rational evidence. Aware of this, they are nonetheless able to rationally judge what the appropriate belief would be and thus act in accordance with the *RTBNA* (*Reasonable to Believe Norm of Assertion*) by asserting what, in light of epistemic criteria, is reasonable to believe and assert. One obvious objection, against which Lackey defends selfless assertions, is that Stella, Sebastian, and Martin are lying. In what follows, I will analyze Lackey’s own account of lies, its connection to her concept of selfless assertion and its application to the examples she provided so far.

2.1.2 Lackey’s account on lies

In this chapter, I will outline Lackey’s own account on lies and why she thinks it is well suited to account for examples such as CREATIONIST TEACHER that other accounts fail. As previously mentioned, Lackey's first step in her critique of non-deception-based accounts is the claim that

⁶⁶ The third example in the paper is CREATIONIST TEACHER in the exact same version as in the book.

it is neither necessary nor advisable to completely remove deception from our definition of lying. Instead, we should develop a more nuanced concept of deceit, deception, and being deceptive, and retain a weaker version (being deceptive) in our understanding of lying.

Sticking to deception, she argues, we preserve, on the one hand, the *prima facie* moral wrongness that comes with deception-based accounts, and, on the other hand, are able to account for examples of lying where the liar has no direct intention to deceive (e.g., bald-faced lie, knowledge-lie, coercion-lie). Furthermore, we successfully distinguish lies from selfless assertions. Lackey's account of lying is this:

LIE-L: A lies to B if and only if (1) A states that *p* to B, (2) A believes that *p* is false, and (3) A intends to be *deceptive* to B in stating that *p*. (Lackey, 2021, p. 178)

So, unlike deception-based accounts that require the liar to have an intention to *deceive*, LIE-L uses a weaker version of this intention, namely *being deceptive*. Now, what is the difference, we may ask, between 'having the intention to deceive' (*deceit*) and 'having the intention to be deceptive' (*deceptiveness*),⁶⁷ and under what conditions does an assertion count as 'deceptive' (vs. *non-deceptive*)? Lackey gives us the following working definition to distinguish between the former two:

Deceit: A deceives B with respect to whether *p* if and only if **A aims to bring about a false belief in B regarding whether *p*.**

Deceptiveness (in Lackey 'deception'): A is deceptive to B with respect to whether *p* if A aims to **conceal information from B regarding whether *p*.** (Lackey, 2021, p. 177)

She specifies the third condition of her account (*deceptiveness*), following Carson (2010, p. 57), as '[t]o conceal information is to do things to hide information from someone—to prevent someone from discovering it.' According to Lackey, this is precisely what is going on in the example of a bald-faced lie, where the student conceals his knowledge about his own wrongdoing by refusing to confess; in SPARTACUS, where the slaves want to conceal from Crassus the identity of the real Spartacus; and in FRIGHTENED WITNESS, where the bystander aims to conceal the eyewitness testimony that can be used for a conviction, although she does not intend to bring about a false belief in the jury.⁶⁸ Her account, she concludes, can capture

⁶⁷ I use 'deceptiveness' in order to avoid linguistic confusion, instead of 'deception' (which Lackey uses in two different senses: to denominate the intention to be deceptive, and to refer to deception-based accounts in general).

⁶⁸ With this last example the distinction between deceit and deceptiveness is less clear than the former two because the bystander has not only a reasonable interest in concealing what she saw, but also to do this in a successful way that makes it likely that the jury will believe her testimony. In the literature, there have been conflicting intuitions about the bystander's intention in this case. Subsequently, Carson offered a modified version of the example where the crime was recorded on video, making the frightened witness very similar to the cheating student, in that the false statement does not result in misinformation but merely withholds a certain type of evidence (testimony).

these three counter-examples raised against deception-based accounts but comes with the big advantage of not entirely divorcing lying from deception.

The importance of keeping this connection is, as we have already learned, made evident by CREATIONIST TEACHER as an instance of selfless assertion, which non-deception-based accounts allegedly fail. Her account, so Lackey, does not only allow to identify weaker versions of deceit (*being deceptive*), it also delivers the right verdict in cases where such an intention is completely absent (I call them here NO LIE cases,

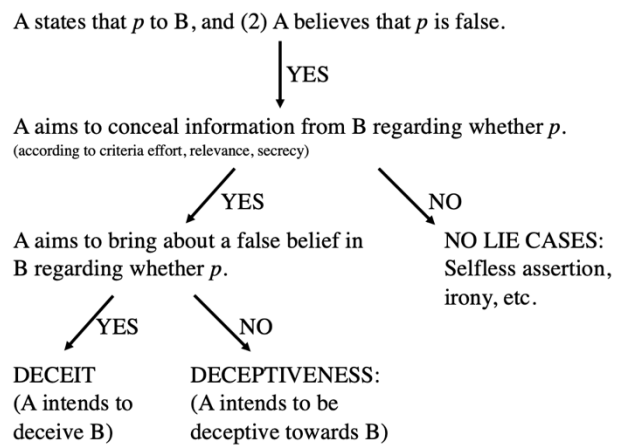


Figure 3 Scheme distinction between NO LIE cases, DECEPTION ('deceptiveness') and DECEIT after Lackey 2021

including cases of selfless assertion, irony, etc.). This is where Lackey's characterization of deceptiveness comes in by distinguishing *concealing* information from merely *withholding* it. To distinguish between those two is essential, so Lackey, because while the former (concealing) constitutes a case of deceptiveness ('having the intention of being deceptive'), and thus, a lie, while the latter (withholding) does not. At this point Lackey again draws on two examples to illustrate this difference between concealing and withholding: CHALLENGING PUPPY and CREATIONIST TEACHER.

CHALLENGING PUPPY: To withhold information is to fail to provide it, rather than to hide or keep it secret. If I am trying to find a home for my challenging puppy, I withhold information about her lack of being housebroken if you don't ask me anything about it and I do not mention it. But if I frantically discard all of the training pads lying throughout my house before you come over, then I am concealing the information that she is not trained. (Lackey 2021, p. 172)

So, one difference between withholding and concealing information in CHALLENGING PUPPY seems that in the latter case, there is *an effort made* to actively hide it, while in the former, the speaker, for whatever reason, simply omits to mention it (e.g., because she was not asked). And yet, that cannot be all. Would it not be all too easy to get discharged from lying when keeping back important information simply because the other person did not *explicitly* ask about it? Lackey gives us a further criterion when she applies the withdrawing/concealing distinction to CREATIONIST TEACHER. This time, the criteria seem to be *relevance* and *secrecy*:

Stella does not in any way aim to be deceptive to her students in stating that Homo sapiens evolved from Homo erectus. For though she does not herself believe this, **she regards her own personal beliefs regarding religion**—particularly those that are grounded in her relationship with God—as **irrelevant to the information she conveys** during her biology lesson. Reporting

to her students what her religious beliefs are about the origin of humans would, for Stella, be **comparable to sharing with them what her favorite aspect of evolutionary theory is. Both are irrelevant** to her biology lesson. Given this, when Stella states to her students a proposition that she believes is false, her aim is not to bring about a false belief in her students or to conceal her own beliefs on the matter. In fact, we **can imagine that she would willingly share her own views about evolutionary theory with her students, were they to ask her.** (Lackey, 2021, p. 175)

So, on Lackey's view, Stella is not deceptive towards her student because, first, she regards the information she does not share as 'irrelevant to the information she conveys'. For Stella, Lackey argues, sharing her religious belief in creationism, would be 'comparable to sharing with them what her favorite aspect of evolutionary theory'. Second, it is plausible to assume that Stella would willingly share her true belief with her students if asked.⁶⁹ A similar argument appealing to relevance can be found in Lackey (2008) when defending DISTRAUGHT DOCTOR against lying, arguing that his personal beliefs are irrelevant to the information requested by his patients.⁷⁰

2.2 Lackey on group lies

The main thesis of Jennifer Lackey's *The Epistemology of Groups* (2021) is that groups, as collective entities, possess distinct epistemic properties that differ fundamentally from those of individuals. In other words, Lackey argues that groups can hold beliefs, acquire knowledge, and make assertions in ways that are not reducible to the sum of the individual epistemic states and actions of their members. She explores the mechanisms by which groups form beliefs, the conditions under which these beliefs can be considered knowledge, and the epistemic and ethical implications of group actions, such as collective responsibility. Doing so, Lackey seeks to answer two main questions: What is it for a group to hold (and report) a belief? How can we discriminate justified group belief from group lies and bullshit?

⁶⁹ Lackey concedes that in a modified version of her example as provided by Fallis (2009, p.52, endnote 74) where Stella omits communicating her own beliefs on the matter not because she deems them irrelevant to the subject matter, but because she would get fired from her teaching job if she did, she would indeed be lying on her account. (cf. Lackey 2021, p. 176).

⁷⁰ Lackey holds: „But, one might ask, if Sebastian asserts only that there is not a connection between vaccines and autism, [...] isn't it likely that the parents of his patient will form the false beliefs that Sebastian both believes and knows that there is no connection between vaccines and autism? While there may be times when this is true, this is where Grice's requirement that the contribution be 'as informative as is required for the current purposes of the exchange' is relevant. For when the parents in DISTRAUGHT DOCTOR ask Sebastian about the purported connection between vaccines and autism, they are interested in the fact of the matter on this issue, not the personal beliefs he has about such a topic in the midst of grief and exhaustion. Given the current purposes of the exchange—namely, to provide the parents of his patient with the best medical advice about vaccines—it would not only be irrelevant for him to express his personal beliefs, but it would also be misleading in achieving the desired end.' (Lackey, 2008, p. 136)

The overall aim of the book is to develop an account of epistemic group agency that allows us to make sense of and analytically frame group belief, group assertion and group lies, taking into consideration those features of groups as epistemic subjects that differ from individuals (e.g., decision-making). In this sense, group lies are, generally speaking, understood as a specific kind of speech acts of groups. A broader perspective on collective speech acts is provided by her essay "A Deflationary Account of Group Testimony," which I will refer to at various points where it is relevant to her understanding of group lies.

In the following, I will examine Lackey's account with regards to its three key elements and in relation to her account on lies. These are group assertion (Chapter 2.2.1), group belief and truthfulness. Since the third condition of lying—the intention of being deceptive—is exactly the same as on LIE-L, I will not dedicate much space to it here (although I refer occasionally back to it when discussing the other components).

2.2.1 Lackey's account of group lies: assertion

Discussing lies told by groups, Jennifer Lackey presents a novel account of collective lying (2018, 2021)⁷¹. Referring back to her account of individual lies (see Chapter 2.1) she analyses whether and to what extent group lies can be understood in terms of the lies of the group's members (*summative approaches*) and, second, whether group lies can be characterized in terms of joint agreement by the group's members to lie (non-summative). Lackey argues that group lies cannot be understood in summative terms since a group's lying can diverge significantly from the lies of its individual members. In particular, a group can fail to lie even though every operative member does, and a group can lie even when no operative member does. In a second step, she construes counter-examples to the non-summative joint acceptance account, showing that a group can fail to lie even though every operative member jointly agrees to lie, and a group can lie even when there is no joint acceptance to do so. Analogous to her account of testimony, Lackey then presents her deflationary, yet non-summative account of group lies, matching her account of individual lies to her account of group assertion.

⁷¹ Her arguments in 2018 and 2021 are virtually the same; 2018 is a shorter, more general version of the group model part of 2021.

Group lies cannot be understood in summativist terms

As one paradigmatic example of a group lie, Jennifer Lackey cites the following case:

TOBACCO COMPANY: Philip Morris, one of the largest tobacco companies in the world, is aware of the massive amounts of scientific evidence revealing the causal connection between smoking and lung cancer. While all of the members of the Board of Directors of the company believe this conclusion, they all decide that, because of what is at stake financially, the official position of the company will be that there is not such a connection. This position is then published in all of their advertising materials with the explicit intention to deceive the public.⁷² (Lackey, 2021, p. 178)

Now, let me briefly recapture her individual account of lying that serves as point of departure for her considerations of group lies. Lackey argues that her individual account, when matched with the right account of group assertion, delivers the correct verdict in cases where collective entities such as Philip Morris lie to the public. Her account of individual lying goes as follows:

LIE-L: A lies to B if and only if (1) A states that p to B, (2) A believes that p is false, and (3) A intends to be deceptive to B with respect to whether p in stating that p . (ibidem)

When combined with group assertion understood in simple summativist terms⁷³, Lackey's definition can be reformulated as follows: A group, G , lies to B in stating that p if and only if all of the members of G lie to B in stating that p . However, two immediate objections to a simple summativist understanding of group lies are that (1) it should require rather *some*, than all of its members lying, and (2) that it should be the right, that is the *operative*, members, that are taken into account, rather than just any group members irrespective of their role and status.⁷⁴ As a working definition of *refined* summativism, Lackey discusses Tobacco Company with regards to the following working definition.

RS-L: A group, G , lies to B in stating that p if and only if most of the operative members of G lie to B in stating that p . (Lackey, 2021, p. 180)

In the case where all of the members of the Board of Directors of Philip Morris individually lie in stating to the public that smoking does not cause lung cancer, the company lies about this as a group, too. In such straightforward cases, refined summativism may deliver the correct verdict. However, there are two aspects that fundamentally distinguish groups from individuals, by nature: on the one hand, the members of a group hold a certain role by virtue

⁷² This example goes back to a 2005 article in the *Los Angeles Times*, where it was reported that 'Jurors in Los Angeles County Superior Court found that 'Philip Morris had concealed information about the risks and addictiveness of smoking, with deliberate intent to defraud smokers such as Fredric Reller of Marina del Rey, who died in September 2003 at the age of 64.... In Fredric Reller's videotaped deposition, 'he admitted that he was ashamed and embarrassed that he had believed Philip Morris' lies and deceit that there was no valid scientific proof that their cigarettes caused lung cancer''. (cf. Lackey, 2021, p. 31).

⁷³ Such as: „SS: A group, G , lies to B in stating that p if and only if all of the members of G lie to B in stating that p .'

⁷⁴ As Lackey points out, most groups dispose of members with vastly different roles, only some of whom have the authority or power to determine certain outcomes for the group as a whole (Lackey, 2021, p. 179). *Operative members* are those members of a group who possess the relevant competencies and authority. For a more detailed discussion on what it means to be an operative member, see also Tuomela (2004, pp. 109–127).

of their membership, but they also have an identity independently as private individuals and members of other groups. For it to be considered a lie of the group, it is essential that the operative members make a statement *qua group members*.⁷⁵ If we accept this, we are confronted with the problem that a group's individuals lying is not sufficient for a group lying.

Secondly, groups often assert through a *spokesperson* that is not necessarily part of the group and can therefore easily be manipulated into asserting on behalf of the group's operative members without them being directly involved.⁷⁶ It would be far too easy, Lackey concludes, if groups could lie with impunity by hiring naive spokespersons and feeding them with selective material that leads them to the preferred (false) conclusion. Consequently, we cannot regard it as necessary condition for a group lying that its operative members do so individually. In the manipulated spokesperson case, none of the company's operative members is lying.

Having shown that it can be regarded neither a necessary nor sufficient condition for group lies that its individual members lie, summativism, it seems, does not provide the resources to account for group assertion. From this interim conclusion, Lackey turns to *Jointly Accepted Agreement* (JAA) as the most common form of non-summativism.

Lying is not a matter of joint acceptance

⁷⁵ Lackey provides the following example: 'PERSONAL LIES: Philip Morris has three operative members regarding the question whether smoking causes lung cancer, M1–M3. All three members lie to B in stating that there is not a causal connection between the two, but they do so entirely in the context of their personal relationships with B. B is M1's wife, and M1 lies to her because he does not want her to worry about their son's smoking habit when there is nothing that she can do to prevent it. M2 is B's best friend, and M2 lies to her so as to not cause marital problems by contradicting M1's testimony. And M3 is B's son, and M3 lies to her so as to avoid his mother's nagging to quit smoking.' (2021, p. 180)

In personal lies, even though all three operative members of Philip Morris meet the conditions of lying, the company itself does not lie to B. This is because each member lies to B based on their personal relationship with her, not as employees of Philip Morris. They would have lied to B the same way even if they didn't work at the tobacco company.

⁷⁶ Lackey illustrates this in 'MANIPULATED SPOKESPERSON: Philip Morris hires spokesperson S—who is not a member of the group and is known to be naïve—to be the voice of the company's views. S's job is to attend the meetings of the Board of Directors at Philip Morris and, on the basis of the information therein presented, to draw the relevant conclusions and convey them to the public on the company's behalf. At a recent meeting, the Board of Directors strategically presented only the very small body of scientific evidence that indicates that there is not a connection between smoking and lung cancer. This was done both with the knowledge that there is overwhelming evidence showing that this is in fact false and with the deliberate intention that S would then draw the conclusion that there is not such a connection and state this to the public. Nevertheless, no operative member of Philip Morris actually ever states, to one another in the boardroom or to S, that there is not a connection between smoking and lung cancer. Moreover, as the company expected, S herself knows very little about the scientific evidence in question and so actually believes that there is not such a connection. At a recent press conference, S, in her role as the official spokesperson for Philip Morris, stated that there is not a connection between smoking and lung cancer.' (2021, p. 181)

According to joint acceptance theories, collective phenomena such as group belief and justification are based on what a group's operative members jointly accept, shifting the focus from their individual mental states to what they *do* as a group. A standard version of group lies based on joint acceptance can be formulated as follows:

JAA: A group, G, lies to B in stating that *p* if and only if most of the operative members of G jointly agree to lie (in the sense found in LIE) to B in stating that *p*.

On such an understanding, it is neither necessary nor sufficient for a group having a mental state that its individual members instantiate that state, avoiding the problems that arise from summativist accounts.⁷⁷ However, since group members can choose what to jointly agree on, basing group lies on their agreement opens the door to a series of problem associated with voluntarism. Avoiding to officially, jointly agree to lie does not automatically prevent one from lying.⁷⁸ In this sense, joint acceptance is not necessary for lying. Neither does it seem sufficient—as we have seen, it is—on all accounts of lies that have been discussed so far, including Lackey's—a prerequisite for lying that one does not believe what is being said. Joint acceptance, however, makes lying independent from the mental states of a groups individual members, leading to the counter-intuitive result that even if all members of a group as individuals secretly do believe the proposition in question, but as a group jointly agree to say they don't, they would fail to be lying.⁷⁹

⁷⁷ The JAA easily account for PERSONAL LIES: although M₁-M₃ each tells B that smoking doesn't cause lung cancer, they do not jointly agree to lie to B, so Philip Morris doesn't lie to B either. Also, it seems to better capture MANIPULATED SPOKESPERSON: If, for example, the board of directors collectively decided to strategically cherry-pick and present the small amount of scientific evidence suggesting no link between smoking and lung cancer, intending to deceive the spokesperson, it could be argued that this constitutes the operative members agreeing to lie to the public. Consequently, Philip Morris would also be lying to the public.

⁷⁸ Lackey discussed this point with modified versions of manipulated spokesperson, where the board of directors simply omits to agree to lie, but in silent agreement or due to group pressure, still conceals the evidence. Also, if joint acceptance to lie became a precondition for lying, it would follow that a group which jointly agreed to never jointly agree to lying, could indeed never lie (Lackey, 2021, p. 185).

⁷⁹ 'At the level of Lackey's discussed example, this conclusion is not very intelligible. Her modified version of MANIPULATED SPOKESPERSON on the JAA goes as follows: "Suppose, for instance, that all of the operative members of Philip Morris conceal from one another their personal beliefs regarding the safety of smoking and yet, because of peer pressure, they all nonetheless agree to lie to the public that smoking is safe. If it turns out that all of the operative members in fact believe that smoking is safe, and there is a collective commitment to the proposition that smoking is safe, then the group hasn't lied to the public in saying that it is. This is evidenced by the fact that if the public learned all of the details of the case, they might regard Philip Morris as ignorant and misinformed for believing that smoking is safe, and they might even regard it as deceitful—given the members' agreement to lie—but they wouldn't say that the company lied. This is because in every sense, Philip Morris believes that smoking is safe when it states that it is, despite the joint agreement to lie about this. In this way, just as agreeing to be happy does not in fact make it the case that one is happy, agreeing to lie does not in fact make it the case that one lies.' (Lackey, 2021, pp. 184-5) I think, however, that this unintelligibility has more to do with the specific example than with Lackey's argument itself. Since this is a minor, rather than a major point of refuting JAA as an adequate account for group assertion in combination with lies, I will for now leave it to this and come back to the point of sufficiency when discussing Lackey's view on lies in the next chapter.

From these considerations, Lackey concludes that neither the discussed accounts of non-summativism (focusing on member belief) nor joint acceptance (focusing on what the group agrees to accept) correctly combine the essential elements when it comes to group lies.

Lackey's account on group assertion.

Subsequently, she presents her own account of group assertion, which integrates aspects of both approaches and considers both the mental states and intentions of individual members as well as the linguistic behaviour of the group as a whole. Fundamentally, Lackey distinguishes between two types of assertions that groups can make: *coordinated group assertion* and *authority-based group assertion*. The essential difference arises from the organizational structure and the nature of the cooperation that governs their individual contributions to the whole, decision making and communication. A coordinated group assertion occurs when all members of a group intentionally and collaboratively work together to convey a specific message as a unified whole.⁸⁰ An authority-based group assertion, by contrast, occurs when an authorized spokesperson speaks on behalf of the group. This spokesperson, who may or may not be a group member, has the proper *authority* to represent the group's views,⁸¹ while, at the same time, disposes of a certain degree *autonomy* that comes with her role.

Authority is here understood rather *de facto* or descriptively than normatively in the sense that the authority in question need not be morally or politically legitimate. There are various mechanisms by which authority to be a spokesperson can be acquired, making Lackey's account *pluralist*.⁸² Autonomy refers, on the one hand, to the fact that spokespersons are not mere parrots but are frequently required to speak for their clients 'on the spot' (address new questions and concerns by drawing on and extending the information they already possess). Furthermore, they sometimes dispose of expertise that goes beyond that of the operative

⁸⁰ For example, members of a stranded tour group forming the words "We Need Help" in the sand or a research team collaboratively drafting a single sentence together in a document are instances of coordinated group assertions. This differs from individual assertions that collectively form a single output but are created independently by each member.

⁸¹ Lackey gives the example of a department chair making hiring decisions or a lawyer representing the group in legal matters. She suggests that whenever a group asserts through an authorized set of individuals that is distinct from the group as a whole, we should consider their statement as an instance of authority-based group assertions.

⁸² One common method is through explicit or implicit agreement, where group members grant authority to a spokesperson, such as electing a department chair or signing a legal contract for a lawyer to represent them. Authority can also be inherited or passed down through tradition, such as in a monarchy, where a member speaks on behalf of the nation regardless of the citizens' approval. Another mechanism is through non-objection, where a person speaking on behalf of a group gradually gains authority if no one objects to their statements. (Lackey, 2021, pp. 140-154).

members and therefore assert what none of the latter beliefs or knows.⁸³ Taken together, these two characteristics lead to the assumption that a group can assert a proposition, the content of which all of its individual members are wholly unaware.⁸⁴

To accommodate for this distinctive feature of group statements, Lackey proposes the following accounts of coordinated group assertion and authority-based assertion (focusing on the former which is more common and more interesting):

CGA: A group *G* asserts that *p* if and only if the members of *G* coordinate individual acts *a*₁,...*a*_{*n*}, so that they all reasonably intend to convey that *p* together in virtue of these acts.

ABGA: A group *G* asserts that *p* if and only if that *p* belongs to a domain *d*, and a spokesperson *S* (i) reasonably intends to convey the information that *p* in virtue of the communicable content of an individual act (or individual acts) of communication, (ii) has the authority to convey some or all of the information in *d*, and (iii) acts in this way in virtue of the authority as a representative of *G*.

While condition (i) mirrors Lackey's – very broad – account of testimony she defends elsewhere (2006, 2008, 2014), condition (ii), requiring that a spokesperson have the authority to convey some or all of the propositions in a domain of which that *p* is a member, allows, on the one hand for a group to assert that *p* even when not a single member of the group either intends to convey the information that *p* or asserts that *p* (granting the necessary autonomy to an internal or external spokesperson who asserts 'on the spot' on their behalf), and, on the other, limits this freedom to a certain domain of authority (so that spokespersons cannot assert on a group's behalf on any topic whatsoever).⁸⁵ Condition (iii) rules out cases such as PERSONAL LIES in that it requires that the spokesperson asserts in virtue – and in the context – of the authority as a representative. To illustrate the range and limits of a spokesperson's autonomy and authority, Lackey distinguishes between rogue and bad spokespersons. These examples are borderline cases that are crucial in determining whether *S*'s assertion is considered her

⁸³ For instance, a lawyer doesn't need to check with her client every time she speaks on their behalf, as some of the statements she makes involve legal matters that her client might not fully understand or be even wholly unaware of. Lackey elaborates on the limits of this freedom in distinguishing bad from rogue spokespersons (2021, pp. 148-9).

⁸⁴ Lackey provides the following example of such a case, which she calls AUTONOMOUS SPOKESPERSON: 'Philip Morris hires spokesperson *S*—who is not a member of the group—to represent the company's views to the public. Philip Morris explicitly tells *S* that the company's official view is that smoking is safe, no matter what. At a recent press conference, *S*, in her role as the official spokesperson for Philip Morris, is asked whether smoking causes disease *X*. No member of Philip Morris has ever heard of disease *X*, nor do they have any beliefs about its safety, but *S* responds on Philip Morris's behalf that smoking does not cause disease *X*.' The example and its at-length discussion can be found in Lackey (2021, p. 149).

⁸⁵ For instance, a spokesperson might have the authority to speak on Philip Morris's behalf with respect to matters that concern the safety of smoking, but not about questions concerning the company's finances, which delivers the correct verdict that Philip Morris is asserting that smoking does not cause disease *X* in AUTONOMOUS SPOKESPERSON.

individual assertion or representative of the group's view, and, accordingly, her lie as a personal or as a collective lie.

A rogue spokesperson, according to Lackey, is someone who makes assertions on behalf of a group without proper authority or without using their authority correctly. There are two main ways this can happen: first, if the spokesperson speaks on topics outside their authorized domain, such as Philip Morris's spokesperson making statements about unrelated subjects like movies or social issues. Second, if the spokesperson's intentions do not align with the group's, even if their statements inadvertently reflect the group's views, like a bumbling spokesperson accidentally supporting the company's stance while attempting to expose it. In both cases, the assertion is the spokesperson's own and not representative of the group.

A bad spokesperson, by contrast, is someone who has the authority to speak on behalf of a group but fails to convey the group's intended message due to incompetence or negligence. This can occur if the spokesperson is poor at making inferences from the group's beliefs or if they do not pay attention to the group's views. For example, a spokesperson might incorrectly affirm that smoking causes a disease because they misunderstood the group's stance, either due to incompetence or not listening carefully during meetings. Unlike a rogue spokesperson, whose assertions can be disavowed by the group, a bad spokesperson's statements are still considered representative of the group. Consequently, the group might need to retract these statements and address the spokesperson's performance issues.

As I have outlined at the beginning of this chapter, Lackey understands group lies as a specific kind of group assertions, namely, such – coordinated or authority-based – assertion that the group believes to be false (the second condition of her account of lies: 'A believes that p is false') and that are made with the intend to be deceptive to their audience with respect to whether p (third condition of LIE-L). The difference between individual lies and group lies, just as the difference between individual assertions and group assertion can be explained through spokespersons possessing authority to assert and lie on behalf of the group. By emphasizing the assertion condition rather than the belief or intention condition, Lackey provides a theoretical framework for evaluating cases where a social epistemic agent, like Philip Morris, lies. This framework helps determine whether the lie should be attributed to the

individual spokesperson, holding them accountable, or recognized as a collective lie made by the group, even though it is expressed by the spokesperson.

This is why group assertion is the core feature of group lying: while others might have the authority to speak or assert on our behalf, it is far more puzzling how others might have the authority to believe or intend on our behalf. Thus, getting clear on condition (i) of the ABGA is what enables an understanding of the distinctiveness of group lies. (Lackey, 2018, p. 278)

However, in order to fully understand her account of group lies, it will be helpful to take a closer look Lackey's understanding of group belief and group intention. While the former is discussed in previous chapters in her book, she does, to my knowledge, not provide a full account of the latter.⁸⁶ This is, however, not so much of a problem, as Lackey's intention to be deceptive is defined by what the agent *does* –concealing, rather than withholding. Extending, her account on authority-based group assertion to (epistemic) group agency more generally,⁸⁷ we can, when it comes to a lying group's intentions, evaluate the spokespersons behavior through her individual account of concealing/withholding I outlined previously.

2.2.2 Lackey's account of group lies: belief and untruthfulness

In what follows, I will sketch out Lackey's account of group belief as presented in the second chapter of *The Epistemology of Groups* in so far as it is relevant for understanding her account on group lies. The main questions in this context are how groups as collective epistemic entities can hold beliefs and what it means for a group to be (un)truthful,⁸⁸ or, more precisely, under what conditions does a Group G 'believe that *p* is false'.

When discussing group belief, Lackey takes a similar methodological approach as in her treatise on group lies. She provides a paradigmatic example of a group holding a belief (assuming that groups do hold beliefs), then examines existing accounts on group belief, both summativist and non-summativist, points to shortcomings of these account by construing counter-examples and then presents her own account that captures the previously discussed cases. Furthermore, since her discussion of group belief is not a stand-alone project but a

⁸⁶ In Lackey (2014, p.271) she comments in footnote 15 that this condition can be understood in terms of one's preferred view (although not all accounts of group intentions are compatible with her account).

⁸⁷ In this way, the view developed here can shape our grasp of group agency and, therewith, group responsibility in ways that go far beyond lying and bullshitting. (Lackey, 2021, p. 188)

⁸⁸ Mind at this point the difference between being untruthful about something and being not justified to hold a certain belief. Even though questions of justification may arise when evaluating the epistemic responsibility of a subject making false statements (asking whether someone could or should have had a certain belief), lying is tied to merely having a certain belief, justified or not.

component of her account of epistemic group agency and group lies, she subjects her account to certain, additional desiderata regarding other components of her account. These can be summarized as follows:

Group Lie Desideratum: An adequate account of group belief should have the resources for distinguishing between, on the one hand, a group's asserting its belief that p and, on the other hand, paradigmatic instances of a group's lying regarding that p .

Group Bullshit Desideratum: An adequate account of group belief should have the resources for distinguishing between, on the one hand, a group's asserting its belief that p and, on the other hand, paradigmatic instances of a group's bullshitting that p .

While the *Group Lie Desideratum* demands a framework apt to distinguish between group belief (G believes that p) and disbelief (G believes p is false), the *Group Bullshit Desideratum* sheds light on the untruthfulness condition in Lackey's account, as it seeks to discriminate between disbelief (G believes p is false) and non-belief (G fails to believe that p is false) on the basis of the believer's attitude towards truth.⁸⁹

I shall first outline the latter which it is more straightforward. Since Lackey adopts the Frankfurtian distinction between lies and bullshit as one crucial feature of her account of group belief, we can, following Frankfurt, conclude the following for her account on lies with respect to the truthfulness condition: First, a lie needs to be a disbelieved statement—that is, a statement the speaker—in our case, the Group—believes to be false. Second, it need not necessarily be actually false in the sense that it contradicts facts. Groups may thus lie when they say something they believe to be false, even if it is actually true.

I now come to the core of Lackey's discussion here, that is distinction between a group holding a belief and a group failing to hold a belief, and, very importantly, how to determine this difference. In the literature on group belief, views can be roughly divided into two camps: While summativist claim that groups do not have beliefs of their own, as these beliefs merely

⁸⁹ By bullshit, Harry Frankfurt refers to phenomena where a speaker says something with no regard for (that is indifference towards) its truth, usually to get away with something. Making it a desideratum of her account of group belief to distinguish between lies and bullshit, Lackey addresses the issue of truthfulness indirectly but importantly, since it is precisely what distinguishes bullshit, understood on Frankfurtian terms, from lies. He writes: 'It is impossible for someone to lie unless he thinks he knows the truth. Producing bullshit requires no such conviction. A person who lies is thereby responding to the truth, and he is to that extent respectful of it. When an honest man speaks, he says only what he believes to be true; and for the liar, it is correspondingly indispensable that he considers his statements to be false. For the bullshitter, however, all these bets are off: he is neither on the side of the true nor on the side of the false. His eye is not on the facts at all, as the eyes of the honest man and the liar are, except insofar as they may be pertinent to his interest in getting away with what he says. He does not care whether the things he says describe reality correctly. He just picks them out, or makes them up, to suit his purpose. (Frankfurt, 2005, p. 55-6)

reduce to those of their individual members⁹⁰, non-summativist views assert that groups possess ‘minds of their own’ and can hold beliefs independent of their members. Accordingly, summativists determine a group’s belief by looking (and aggregating) its members beliefs. Non-summativist, on the other hand, examine how a belief is *formed* collectively, e.g., through procedures of joint acceptance (JAA) or premise-based aggregation (PBA).

Lackey challenges both perspectives, arguing that while groups do have beliefs that are distinct from the beliefs of their members, these beliefs must, in some way, still be anchored in the individuals within the group. The concept of group belief cannot be framed in summativist terms, as they fail to account for the complexities that arise at the collective level.⁹¹ At the same time, group beliefs must be rooted in individual beliefs, for important reasons. One of these reasons, posing difficulties to JA-accounts in particular, are problems associated with voluntarism (see also previous chapter). Without anchoring group belief in beliefs of individuals, factors such as economic motivations could entirely dictate whether a group holds a belief.⁹² However, also PBA⁹³, such as advocated for by Philip Pettit, suffers from voluntaristic issues: The so-called *doctrinal paradox* or the *discursive dilemma* which has motivated Pettit to conclude that groups are intentional subjects that are distinct from their individual members, fails paradigmatic cases of

	P1	P2	P3	Conclusion
	No lung cancer?	No emphysema?	No heart disease?	Safe to health?
A.	Yes	No	Yes	No
B.	No	Yes	Yes	No
C.	Yes	Yes	No	No
	Yes	Yes	Yes	Yes

Figure 3: Phillip Morris using a premise-based aggregation procedure to determine their belief on whether smoking is safe.

⁹⁰ Summativist belief (SB): A group G believes that *p* iff some of the members of G believe that *p*.

⁹¹ Summativism about group belief encounters two significant issues. Firstly, it cannot explain situations where a group adopts a belief and acts upon it, even though no individual member personally holds that belief. This can occur through compromise, externally imposed rules, or pragmatic considerations. In these cases, SB is not necessary for group belief (see, for example, philosophy department discussed in chapter 2.2.1). Secondly, summativism fails to account for cases where the beliefs held by individual members are irrelevant to the group’s purposes or actions, or where members are unwilling or unable to communicate their beliefs.

⁹² A key distinguishing feature between individuals and groups in this context is that groups, when understood in terms of joint acceptance, can simply choose what they believe, whereas this is not the case for individuals.

⁹³ The main idea of premise-based aggregation procedures is to determine the collective judgment or decision of a group by aggregating the individual judgments or decisions on the premises that underlie a particular conclusion. Instead of directly voting on the conclusion, each member of the group votes on each premise, and the group’s collective judgment on the conclusion is derived from the aggregation of these individual judgments on the premises. This method aims to ensure that the collective decision is logically consistent with the premises that the group members agree upon. Pettit provides the example of a group of three workers who are to vote in a three-step premise-based aggregation procedure on whether to invest money in new safety measures. Each of the three premises is being voted on separately, and it is necessary to accept all premises in order to accept the conclusion. Each of the three workers individually votes ‘yes’ on two of the premises but rejects a third, so that they individually arrive at a negative conclusion. However, since each premise is being voted on separately and accepted by two of the workers, each voting round ends with a two-thirds majority voting ‘yes’. This gives rise to the paradoxical situation that none of the three workers believes the money should be invested, but the group votes ‘yes’ on all three premises. (For the full version of the example, see Pettit 2003, p. 171). Pettit sees this as a virtue of his account: While all members of individually believe not-*p*, the group itself may hold the belief that *p*.

group lies such as TOBACCO COMPANY (see *Figure 3*). If we accept that Philip Morris genuinely believes that smoking is safe on the group level, although all three operative members of Philip Morris individually arrive at the conclusion that it is not, the company is not lying when it asserts that smoking is safe. The problem with such a discrepancy is that it can be easily instrumentalized to *produce* the desired belief on the group level and offers therefore a simple way to avoid the accusation of lying. Lackey discusses more objections to the joint acceptance and premise-based aggregation accounts of group belief that highlight important aspects in which collective belief differs from individual belief, *Judgement Fragility* and *Base Fragility*⁹⁴, before presenting her own account. Lackey's account on group belief goes as follows:

Group Agent Account (GAA): A group, G, believes that p if and only if: (1) there is a significant percentage of G's operative members who believe that p, and (2) are such that adding together the bases of their beliefs that p yields a belief set that is not substantively incoherent. (Lackey, 2021, pp. 48-9)

When we now combine this with Lackey's account of group lies, the following conditions emerge under which a group lies:

A group G lies to B if and only if (1) G states that p to B, (2) G believes that p is false, in the sense that

- (i) there is a significant percentage of G's operative members who believe that p, and
- (ii) adding together the bases of their beliefs that p yields a belief set that is not substantively incoherent

and (3) G intends to be deceptive to B with respect to whether p in stating that p.

In the next chapter, I will move to critically discussing Lackey's account of individual lies, her rejection of non-deception-based accounts that motivate it, as well as the upshots of this critique⁹⁵ for her conception of group lies.

⁹⁴ A group's state is base fragile if the bases of a significant subset of its members' beliefs conflict with the bases of another significant subset of its members' beliefs. The idea is that different people can come to believe the same thing (p) based on different – inconsistent – reasons. The upshot is that a group's belief needs to be supported by member bases that are not inconsistent with each other. Judgement fragility occurs if judgments at the group level must be regarded as not temporally stable, for instance, when a judgment has to be made at the end of a meeting due to time constraints even though the deliberation process is not actually complete. Lackey argues that groups are more susceptible to this than individuals, and that we should then assume judgment fragility if the following holds: 'were the members of the group to deliberate about the same body of evidence at T1 and T2 with no relevant difference in the information that emerges via the deliberation, it is very likely that the group's judgments would diverge between T1 and T2.' (Lackey, 2021, p. 43) This is not of primary importance for group lies, so I will not further elaborate on her considerations in this context.

⁹⁵ My focus and main interest is lying; therefore, my critique pertains to Lackey's individual account, which also serves as the model for group lies regarding the nature of lying. Consequently, my critique of group lies arises, in a way, from my critique of individual lies.

3. Critical assessment of Lackey on lies

My critical discussion of Lackey's work on lying consists fundamentally of three parts, reflecting three central aspects: In chapter 3.1, I will address her discussion of the current research landscape on lying, and particularly her arguments and examples against non-deception-based accounts. I will particularly examine her criticism of Fallis' account, which I have already discussed in detail in Chapter 1.2, and, with regards to Lackey's criticism, in 2.1.1. In Chapter 3.2, I will critically analyse Lackey's individual account of lying as well as her concept of selfless assertion. In Chapter 3.3, I will reflect on the implications of these points for her conception of group lies.

3.1 Of Lackey's critique of non-deception-based accounts

In Chapter 2.1.1, I have outline Lackey's analysis of the non-deception-based accounts of Carson, Sorensen, and Fallis. After demonstrating that these accounts deliver the correct verdict in cases of bald-faced lies, knowledge lies, and coercion lies, she claims that in severing the ties between lying and deception, they overlook a crucial aspect of lying: the intention of being deceptive. This becomes evident as they deliver the wrong verdict in cases where deception marks the difference between what constitutes a lie and what does not, and they categorically confuse selfless assertions with lies.

At this point, Lackey's general argumentation structure, that is, the potential logical framework behind it, is not entirely clear to me. When looked at from a logical point of view, the reasoning behind her demonstration somehow seems to be affirming the consequent: If deception is a necessary condition for lying, then accounts without this condition fail to capture (some) lies. She then argues that accounts without this condition indeed fail to capture (some) lies; therefore, deception is a necessary condition for lying. Alternatively, it could be formulated as a modus Tollens: If deception is not a necessary condition for lying, then accounts that by nature reject deception must be able to capture lies; she argues that accounts that by nature reject deception are not able to capture lies; therefore, deception is a necessary condition for lying.

While the Modus tollens version is not a fallacy, it is not very convincing either. Lackey seems to presuppose in a certain way that the crucial common element responsible for the failure of the non-deception-based accounts is their rejection of deception as a necessary condition for lying. It is, of course, possible that the conclusion she draws from the failure of the non-deception accounts—that lying necessarily involves deception—is not intended as a consequence in the strict logical sense, but rather meant as a kind of inductive evidence, a strong indication. I will set aside these considerations for a moment and proceed to discussing her arguments against non-deceptions-based accounts more in detail. I will return to this general issue later, in my conclusion.

At this point, I'd like to take a closer look at the counter-examples she raised against Fallis' and Carson's account in particular.⁹⁶ I summarised the results of Lackey's analysis in figure 4 and shall discuss it along the lines of two main questions: First, whether we should accept Lackey's verdict in recognising the respective case as instances of lies, and second, whether is it correct that the accounts fail to deliver the right verdict, as she claims.

I will only discuss the cases where LIE-S, LIE-C, and LIE-F allegedly fail and start with Lackey's claim that Fallis' account fails DECEPTIVE ANTHROPOLOGIST. Here, Shawn

	LIE-S	LIE-C	LIE-F
DECEPTIVE ANTHROPOLOGIST	<i>captures</i>	<i>captures</i>	<i>fails</i>
SABOTAGING FRIEND	<i>captures</i>	<i>fails</i>	<i>captures</i>
CREATIONIST TEACHER	<i>fails</i>	<i>fails</i>	<i>fails</i>

Figure 4 How LIE-S, LIE-C, LIE-F do on Lackey's lie examples according to Lackey

makes a statement he knows to be false but seemingly does not satisfy condition (3) of LIE-F since he is in a context where he does not know which norms of conversation are in place (and thus does not recognize the conversational norm '*Do not make statements you believe to be false*' to be in effect. Quite obviously, this lack of recognition does not stop him from lying to the tribe members, therefore, so Lackey, LIE-F is unable to account for his lie. A reason that is supposed to strongly support this view is that an ethics committee evaluating the violation related to his research methods would hardly accept his defense if he claimed, 'I didn't lie to the tribe members since I was unaware of the conversational norms in their community.'

First of all, I agree with Lackey that Shawn's statement about his grandmother living with the ancestors of the tribe is a lie. The peculiarity of the example seems to arise from the fact that

⁹⁶ Sorensen's account, which does not provide a third condition that is intended to be a substitute for the intention-to-deceive requirement, is, at this point, set aside.

Shawn is in a culturally different setting, and norms of conversation are known to be culturally dependent. Independently of this specific example, the question of how to determine which norms of conversation apply in a given context is a key issue of Fallis' account. The more general criticism Lackey seems to subject LIE-F to is that of relativism: If lying hinges on norms of conversation, and norms of conversation are strongly context-dependent, this makes the account conceptually weak in that it becomes fairly easy to make excuses for not being aware of which norms apply. Also, it strips lying of its *prima facie* wrongness (turning it into a relative, context-dependent wrongness).

Fallis does not provide a full account on how to determine which norms are in effect in a given context, but he discusses a series of borderline cases. Interestingly, he himself considers an example very similar to that of deceptive anthropologist:

If a visitor to a foreign country does not know for sure whether a wink turns off Grice's first maxim of quality in this unfamiliar cultural context, some might argue that she is still lying even if she winks after saying something she believes to be false (especially if she intends to deceive). To accommodate that intuition, my definition might be modified to simply require that a liar fail to believe that the norm is *not* in effect. (Fallis, 2009, p. 35, footnote 21)

For the case of lying especially, this seems a reasonable modification: Since norms of conversation are not only culture- but also context dependent, one could always argue that one did not know or was not sure which norms were active in a given situation. While some norms are surely more difficult to determine than others, saying what you believe to be false tends to be in most contexts morally condemned across cultures. Also, the context in which Shawn lies in the example lacks features of ambiguity that are present in joking or acting. Furthermore, he relies on the success of his lie, meaning he believes it likely, rather than unlikely, that the tribe members will take what he says at face value.

One aspect that further complicates the example is Lackey's argument with the ethics committee, which would not accept such an excuse. Although she does not specify this, it seems to involve a committee composed of individuals with standards from Shawn's cultural background, rather than a committee of tribe members. If they condemn his lie, they do so because they evaluate the moral acceptability of his behaviour, even in the context of a tribe, based on their own norms, particularly when these norms claim a certain level of universality.

I now turn to Lackey's criticism of LIE-C and the example of sabotaging friend. Fran does allegedly not meet condition (3) of LIE-C because she does not intend to vouch for the truth of

the statement that Betty is cheating on Sam. Specifically, because she does not want to shoulder the responsibility of Betty and Sam to break up, she explicitly states that she is not guaranteeing the truth of her claim. Nevertheless, so Lackey, Fran is lying to Sam.

It is important to remember that LIE-C construes lies as instances of (implicit) promise-breaking in the sense that, in regular discourse, making a statement inherently implies a guarantee of its truthfulness. So, unless a speaker gives commonly shared 'signals of unseriousness' or speaks in a context such as in a theatre play, she violates this promise when being untruthful (thus, is lying). According to Lackey, Fran, by adding 'but don't take my word for it', nullifies her promise to tell the truth, and therefore fails to lie on Carson's account.

Now, Carson has responded to a very similar example raised by Fallis where a witness to a murder follows up his statement that 'Tony was with me at the time of the murder' by saying, 'Of course, you know I am really bad with dates and times' (Fallis, 2009, p. 49). In his response, Carson refers to the meaning and function of what is added: If it is supposed to weaken, but not to remove the assurance of truth(fulness), then his definition still counts it as a case of lying. On the other hand, if the proviso is intended to completely remove or nullify any assurance of truth then the statement is not a lie. (Carson, 2010, pp. 38-9)

Lackey maintains that while this may explain away the murder case, it does not seem at all plausible with respect to SABOTAGING FRIEND. Now, as with DECEPTIVE ANTHROPOLOGIST, I agree that Lackey's example does constitute an instance of a lie. However, the proviso 'but don't take my word for it' leaves considerable room for ambiguity, since it is not clear whether it is supposed to mean something in the spirit of 'but I'm not sure', maybe because I do not have proof for what I say but a strong hunch I cannot further explain. Alternatively, if it is supposed to be understood rather as 'but you don't have that from me' or 'don't ask me how I know this', in the sense that I do not intend to add doubt to my statement with regards to the truth of its content but simply do not want to be cited as the source of information, it clearly does not remove any assurance of truth. Lackey's remarks that Fran does not want to 'shoulder the responsibility' and that she 'explicitly states that she is not guaranteeing the truth of her

claim' point rather in the first direction⁹⁷, but the remark in the example itself does not give a clear indication.⁹⁸

This ambiguity also extends to the question of whether LIE-S can account for SABOTAGING FRIEND, which Lackey herself interestingly does not discuss.⁹⁹ Sorensen does not pose a third condition on lying, holding that you lie if you assert something that you do not believe. However, an assertion, in order to count as such, must be at least hypothetically believable to an ignorant hearer. In practical terms, this means that the statement must not be "obviously untrue", containing, for example a contradiction in terms or be delivered in an ironic tone that clearly indicates the speaker does not mean what they are saying. So, once again, we are faced with interpreting the statement in SABOTAGING FRIEND. Whether it is counted as a lie by LIE-S depends on very similar standards as whether "but don't take my word for it" has a nullifying function or not.

I now turn to the third example, creationist teacher, which is central to Lackey's critique of non-deception-based accounts. At this point, I will set aside the question of whether we should agree with Lackey's intuition that it is a lie for a moment. The CREATIONIST TEACHER example has elicited very controversial reactions in the literature, both regarding the intuition of whether it is an instance of lying, and regarding the arguments that Lackey builds upon it. I will return to this question in the context of Lackey's own accounts of lying and selfless assertion. For now, I will preliminarily accept the verdict that Stella is not lying and analyse whether Lackey's criticism of LIE-S, LIE-C, and LIE-F is justified in this context.

According to Lackey, all three accounts – LIE-S, LIE-C, and LIE-F – fail here in that all three mistakenly identify Stella as a liar. For the sake of clarity, let us compare the creationist teacher to the three non-deception-based accounts here once more:

CREATIONIST TEACHER: Stella is a devoutly Christian fourth-grade teacher, and her religious beliefs are grounded in a personal relationship with God that she takes herself to have had since she was a very young child. This relationship grounds her belief in the truth of creationism and, accordingly, a belief in the falsity of evolutionary theory. Despite this, Stella fully recognizes that there is an overwhelming amount of scientific evidence against both of these beliefs. Indeed, she readily admits that she is not basing her own commitment to creationism on evidence at all but, rather, on the personal faith that she has in an all-powerful creator. Because of this, Stella thinks that her religious beliefs are irrelevant to her

⁹⁷ In this case, LIE-C does identify SABOTAGING FRIEND as a lie.

⁹⁸ It is unclear to me, and Lackey does not explain, why she thinks this case to be differ substantially from the murder example, so that Carson's reply does not seem at all plausible with respect to sabotaging friend.

⁹⁹ Lackey gives very little attention to Sorensen's account in general, probably because it is the most broadly defined and because he does not provide a third condition as a replacement for the intention to deceive.

duties as a teacher; accordingly, she regards her obligation as a teacher to include presenting material that is best supported by the available evidence, which clearly includes the truth of evolutionary theory. As a result, while presenting her biology lesson today, Stella asserts to her students, ‘Modern day Homo sapiens evolved from Homo erectus’, though she herself does not believe this proposition. (Lackey, 2021, p. 174)

LIE-S: A lies to B if and only if (1) A asserts that p to B, and (2) A does not believe that p. (Sorensen, 2007, p. 256)

LIE-C: A lies to B if and only if (1) A states that p to B, (2) A believes that p is false or probably false (or, alternatively, A does not believe that p is true), and (3) A intends to warrant the truth of that p to B. (Carson, 2010, p. 37)

LIE-F: A lies to B if and only if (1) A states that p to B, (2) A believes that p is false, and (3) A believes that she makes this statement in a context where the following norm of conversation is in effect: Do not make statements that you believe to be false. (Fallis, 2009, p. 34)

***(3) alternative:** A fails to believe that she makes this statement in a context where the following norm of conversation is *not* in effect: Do not make statements that you believe to be false. (ibidem, p. 35)

As notes Lackey, Stella clearly satisfies the conditions necessary for assertion, and she states *p* to her students while she believes that *p* is false.¹⁰⁰ Additionally, she warrants the truth of what she says in the sense that Carson understands it, as she provides no indication to the contrary. This leaves only Fallis' account as a potential candidate for further discussion. Lackey argues here as follows:

Stella's statement that Homo sapiens evolved from Homo erectus clearly satisfies the conditions put forth in LIE-F, LIE-C, and LIE-S. She offers this statement to her students, where she herself believes that it is false. Moreover, since she clearly does not regard the context of her classroom as an ironic, humorous, or theatrical one, she does so while believing that the following norm of conversation is in effect: *Do not make statements that you believe to be false*. The reason that she violates this norm is that she believes it is overridden or defeated by the duty to state what the scientific evidence best supports when teaching her biology lesson. (Lackey, 2021, p. 175)

Now Fallis, as Lackey recognizes herself, does address the issue of overriding norms, and, interestingly, also CREATIONIST TEACHER.¹⁰¹ Fallis acknowledges that norms of conversation can clash with each other. For example, when a creationist teacher has to teach evolution, so Fallis, Grice's first maxim of quality conflicts with the second ('Do not say that for which you lack adequate evidence'). Here is how he comments on the issue and how Lackey responds:

If the teacher violates the norms against saying what she believes to be false solely in order to obey the norm against saying that for which she lacks adequate evidence, some... might want to say that she is not lying. In order to accommodate that intuition, my definition might be modified to include an exemption for such cases. (Fallis, 2009, p. 52, note 74)

Interestingly, Fallis considers a version of my creationist teacher (which was used for a different purpose in the paper that he cites), but does not seem to recognize the full force of the case. [...] It is unclear what sort of 'exemption' could be added to Fallis's account of lying to respond to this counterexample that would not simply be *ad hoc*. Moreover, by regarding this case as requiring only such a slight

¹⁰⁰ In light of this fact, Sorensen's account is dismissed on Lackey's view, as his conditions for lying are clearly met.

¹⁰¹ However, Fallis's mention of the creationist teacher does not constitute a defense against Lackey. In his 2009 essay, he refers to Lackey's paper/book from 2008, where she uses the creationist teacher example in a different context (that of testimony).

modification, it seems to have blinded Fallis to the far deeper point that there is a necessary connection between lying and deception. The positive view that I defend respects this point, provides a unified account of lying, and does not need to resort to such *ad hoc* moves. (Lackey, 2021, p. 176, footnote 25)

What both fail to address—and seem to take for granted—is the premise that Stella *is* making her statement in a context where the first Gricean norm is in effect, and that she believes it to be in effect. I will now challenge this assumption and show that Fallis' account does not necessarily fail CREATIONIST TEACHER. I will show that there is a way in which it can indeed capture the Stella case, although this comes with another, potentially undesirable cost.

So, I do not share Lackey's (and it seems Fallis') view that Stella necessarily believes to be in a context where the conversational norm '*Do not make statements that you believe to be false*' applies. Working for a public institution that is committed to educating students according to most recent scientific knowledge, Stella may very well believe instead to speak in a context that is guided by one of the following alternative norms:

aN1: Assert as 'truth' whatever is best supported by current scientific evidence, regardless of whether you personally think it's true.

aN2: Assert as 'truth' whatever is considered true according to the curriculum of the subject issued by the Ministry of Education and adopted as binding by the school, regardless of whether you personally think it's true.¹⁰²

In Lackey's description, Stella seems to be very aware that she is speaking in her professional role as a teacher. And indeed, philosophers have argued for such an understanding of institutional roles in the context of freedom of speech. To make this more plausible, let me borrow an argument from Immanuel Kant, who advocates a norm of speaking one's mind that differentiates between the private and the public sphere.

In his essay '*Beantwortung der Frage: Was ist Aufklärung?*' ('Answering the Question: What is Enlightenment?', 1784), Kant argues that in order to free themselves from their 'self-inflicted immaturity', people must have the opportunity to make public use of their own reason. In order to think for oneself and not be patronized, it is necessary to be able to express doubt and criticism in all matters. Freedom of speech in Kant can thus be understood as a vehicle and possibility condition for the Enlightenment. However, he imposes two important limits to freedom of speech, one of which is to distinguish between public vs. private use of reason.

¹⁰² In institutional practice, as I will detail in Chapter 5, teachers are formally subject to a combination of these two norms. However, at this point, I do not want to refer to specific institutional frameworks and curricula but instead present a philosophical argument in favour of the assumption that Paul Grice's first norm of quality '*Do not make statements that you believe to be false*', whose suspension, or believed suspension, constitutes the third condition in Fallis' lying account, is not in effect.

Using a somewhat counter-intuitive terminology, Kant makes clear that freedom of speech comes with a political prize: the stability of institutions and, finally, the state. In the case of what he calls ‘public use of reason’, where people as free citizens publicly speak their own mind, it is a prize worth paying since it is the only way to constantly improve community life and legislation. However, whenever people hold public offices, they must subordinate themselves to the functionality of the institution in order to maintain public order and refrain from speaking their own, private mind (‘private use of reason’).

It is not absurd to think that Stella's school has such an institutional understanding. We can even imagine that when Stella was hired, the headmaster, after having read about her involvement in the creationist church in her CV, told her that he does want not discriminate teachers on the basis of religion, but that Stella should always keep in mind that she teaches as truth in her classes what is scientifically best justified, regardless of her religious beliefs. At this point, we also might want to have a look at Lackey's reference to the real-world version that inspired CREATIONIST TEACHER:

CREATIONIST SCIENTIST: An article in The New York Times (February 12, 2007, ‘Believing Scripture but Playing by Science’s Rules’) about Dr. Marcus R. Ross, a creationist who also holds a geosciences Ph.D. in palaeontology, makes clear that the situation described in creationist teacher is by no means merely a thought experiment. As the author of the article writes, ‘For him, Dr. Ross said, the methods and theories of palaeontology are one ‘paradigm’ for studying the past, and Scripture is another. In the paleontological paradigm, he said, the dates in his dissertation are entirely appropriate. The fact that as a young earth creationist he has a different view just means, he said, ‘that I am separating the different paradigms.’’ (Lackey 2021, p. 174, footnote 21).

Following Fallis and Kant, we could say that when speaking as a scientist, that is on behalf of the scientific community, Ross is dutifully following the ‘game rules’ of the latter. In this sense, we may understand teachers as spokespersons of their schools, or the ministry for education, and we may take scientists as public representatives of their scientific community. Lackey thus unnecessarily dismisses Fallis’ account: if we understand institutions in this way (which I believe is not too far-fetched), then Fallis’ account delivers the correct verdict in CREATIONIST TEACHER: Stella is not lying when she says that *homo sapiens* evolved from *homo erectus*. While she personally believes this to be false, she understands her role as a teacher in the Kantian sense of not being subject to the norm of saying what she thinks as a private person, but as an official. If this is correct, I have just debunked Lackey's main argument against non-deception-based accounts and in favor of a new, that is, her own, approach to individual lies.

Should we thus stay with Fallis, rather than follow Lackey? Despite the failure of her counterexample, I agree with Lackey that Fallis' account is inadequate. My rejection of Fallis, however, has mainly to do with the undesirable consequences that his view entails. If we follow Fallis' account, Stella and Dr. Ross are not lying, but we entirely divorce institutions like schools and universities from truth-telling. Ross' appeal to 'different paradigms' amounts to saying that what counts as a true statement in an institutional context is determined by the institutions' view on what makes a statement true, construing contexts like science as a sort of game, where one simply 'plays' by the respective rules.¹⁰³

Instead, I would like to return to Lackey's more general claim that there is a category of cases, selfless assertion, that we must consider in our conceptualization of lying. Besides the fact that CREATIONIST TEACHER has evoked quite different intuitions in scholars about the 'right' verdict for Stella, and that LIE-F can frame it as a lie, it also raises fundamental questions about selfless assertion as a category. If we interpret CREATIONIST TEACHER as I have just done with the help of Kant, then the concept of selfless assertion becomes void: Of course, Stella's assertion can be described as *selfless* in the sense that she does not speak her own mind out of principle but simply plays by the rules of the institution. However, what is completely lost in this process is the epistemic—and, in Lackey's understanding, also moral—dimension of the concept, as it reduces speakers in institutionalized settings to parrots who, depending on the metaphysical understanding of the source of knowledge, might not even be the originators of their statements.¹⁰⁴

Note, however, that the rejection of Lackey's example CREATIONIST TEACHER as a counterexample to Fallis or non-deception-based accounts does not imply that selfless assertion in general, for instance in other examples, cannot provide us with reasons—and resources—to stick to the concept as importantly different from lying and model our understanding of lies accordingly. So, in what follows, I will consider selfless assertion independently from the Fallis' account.¹⁰⁵

¹⁰³ Given the scope of this work, I will not go into depth what is wrong with such a view or how it undermines important political achievements and values of democratic societies.

¹⁰⁴ I will take up on this latter point in chapter 3.3.

¹⁰⁵ Note that Fallis' account can be used to account for DISTRAUGHT DOCTOR and RACIST JUROR in the exact same way as with creationist teacher.

3.2 Of Lackey's account of individual lies and selfless assertion

Although CREATIONIST TEACHER is the only example that is given in the book *The Epistemology of Groups*, we have seen in Chapter 2.1.1 further examples of selfless assertion (DISTRAUGHT DOCTOR and RACIST JUROR) as presented in Lackey's work on testimony (2007, 2008). There, Lackey also offers a definition of selfless assertion that characterizes phenomena of this type as sharing three main components:

first, a subject, for purely non-epistemic reasons, does not believe (and hence does not know) that p ; second, despite this lack of belief, the subject is aware that p is very well supported by all of the available evidence; and, third, because of this, the subject asserts that p without believing and, hence, without knowing that p . (Lackey, 2007, p. 599)

This definition is revealing insofar, I shall argue, as it brings to light two central problems in Lackey's characterization of selfless assertion. They both emerge with the first condition. If we apply it to the three examples, two features strike us as questionable: First, is it correct to say that our subjects Stella, Martin, and Sebastian do not believe that p , and second, can we say that they do not believe it for purely non-epistemic reasons? I believe the answer to both these questions is – in at least one of the three cases, namely in Stella – negative. This is so because CREATIONIST TEACHER is structurally different from DISTRAUGHT DOCTOR and RACIST JUROR.

Let me start with the first issue I called into question. The asserted propositions (p) in our examples are as follows:

CREATIONIST TEACHER Stella: 'Modern day Homo sapiens evolved from Homo erectus.'

DISTRAUGHT DOCTOR Sebastian: 'There is no connection between vaccines and autism.'

RACIST JUROR Martin: 'No, the guy did not rape her.'

Now, is it correct to say that Martin, Sebastian, and Stella do not believe what they assert? In Martin's and Sebastian's case, they do believe, as Lackey points out, that p is best supported by scientific and criminal evidence. At the same time, their emotions (in Sebastian's case trauma and in Martin's case prejudice) cast doubts in them whether this is actually true. However, both recognize these doubts as irrational ('grounded in purely non-epistemic reasons')¹⁰⁶ and therefore dismiss them as potential defeaters for the belief p in question. Can Stella do the same thing with her belief in the truth of creationism?

Lackey describes Sebastian's and Martin's inner states as 'can't quite come to believe (that p)' and '(having) a current doubt', which, according to her, makes them *not actually* believing p

¹⁰⁶ I will come back to Lackey's remark about the 'non-epistemic' nature of their reasons in a moment.

(‘it would not be correct to say that Sebastian himself believes or knows this proposition’ , Lackey, 2007, p. 599). It is not my intention here to challenge this view by delving into theories of the relationship between emotion and cognition or by discussing whether our understanding of belief requires something we may call ‘emotional commitment’ or the absence of cognitive dissonance. Rather, I want to draw attention to the fact that there is a substantial difference between ‘not quite come to believe that p ’, ‘have doubts whether p ’, and ‘believe that *not-p*’. This becomes apparent when we turn to CREATIONIST TEACHER, where Stella does not merely become aware of an irrational gut feeling that there might be something wrong with evolutionary theory, but actually and clearly believes it to be false. As Lackey states herself in the example, Stella holds ‘a belief in the truth of creationism and, accordingly, a belief in the falsity of evolutionary theory.’ Thus, unlike Martin and Sebastian, Stella does not merely lack emotional conviction of the truth of p , but actually rejects it in favor of a rival theory.

Bearing that in mind, let me come to the second aspect (Lackey’s remark on the ‘purely non-epistemic’ nature of the subject’s reasons for not believing that p). As I have pointed out with regard to Martin and Sebastian, Lackey’s understanding of non-epistemic in these cases is that their doubts stem from emotional biases which they also recognise as such. Because they themselves do not regard these feelings as truth-conducive with regards to the issues at stake, their feelings do not constitute effective defeaters for their rational judgement that p is true.¹⁰⁷ Their awareness and rejection of these feelings as ‘purely non-epistemic’ is precisely what prevents them from becoming defeaters.

Now, the question is whether the same applies to Stella. In addition to the fact that she believes *not-p*, can we say that she does believe *not-p* for purely non-epistemic reasons? I think not. Unlike Martin and Sebastian, Stella does not conceive of her belief in creationism as an ‘emotional bias’ in the sense of not being truth-conducive with regards to the issue at stake. She believes indeed that ‘the universe was made by God exactly as described in the Bible’, which is a defeater for the belief in p (Evolutionary Theory). This is so because Evolutionary Theory (hereafter: *ET*) and creationism are inconsistent with each other, and the belief in the truth of the latter is not compatible with, thus excludes, the belief in the former. True, Stella’s belief is grounded in evidence (her relationship with God and Scripture) that is, according to

¹⁰⁷ Alternatively, we could say that Sebastian and Martin do not regard their feelings as implying a substantial decrease in the probability of the truth of p . In the Stella case, this alternative framing is, however, not plausible.

current scientific standards in Western societies, unreliable or irrational, or simply poor evidence, but that does not make it 'purely non-epistemic'. It is epistemic in the sense that one believes something for a reason and with regards to evidence one regards it as permissible.¹⁰⁸ Stella apparently does take her 'personal relationship' with God and Scripture as truth-conducive in this sense, otherwise she would not infer her beliefs from it.¹⁰⁹ What we can conclude from this is that CREATIONIST TEACHER again is different from the two other examples of selfless assertion, and that it is not well captured by Lackey's definition.¹¹⁰

To briefly sum up, we have seen that (1) CREATIONIST TEACHER can – just like the two other examples of selfless assertion – be captured by Fallis' account of lies without deception, and (2) that DISTRAUGHT DOCTOR and RACIST JUROR are in an important way structurally different from CREATIONIST TEACHER. Also, Lackey's definition of selfless assertion applies to DISTRAUGHT DOCTOR and RACIST JUROR, but not to CREATIONIST TEACHER. With that in mind, let me come to Lackey's account on lies.

In the book, CREATIONIST TEACHER is a link between Lackey's rejection of deception-based accounts, on the one hand, and the defense of her own account on lying, on the other. Her first line of argument was that accounts that do not make appeal to deception cannot account for paradigmatic examples of lies. This has been outlined and commented on in the previous subchapter. At the beginning of this chapter, I have analysed CREATIONIST TEACHER in terms of selfless assertion. Now, I shall turn to Lackey's arguments with regards to her account of lies as outlined in Chapter 2.1.2. Her main claim is that lying essentially involves a weaker version of deception, that is the *intend of being deceitful*.

LIE-L: A lies to B if and only if (1) A states that p to B, (2) A believes that p is false, and (3) A intends to be *deceptive* to B in stating that p. (Lackey 2021, p. 178)

On this understanding, intending to be deceptive is not only necessary, but also sufficient for lying. To determine whether a speaker, who does not provide all information there is to the

¹⁰⁸ At another time or in another culture, the relationship with God and scripture may very well count as a legitimate source for knowledge.

¹⁰⁹ Note that one can also have such feelings (based on religious experience, a relationship with God, etc.) without inferring beliefs about the origin of the world from it. 'Religion' surely has a strongly emotional and spiritual component, but metaphysical theories such as creationism, that are built on top of it, are cognitive constructs. There are many religious people who believe in God but do not take the wording of the Bible as factually true.

¹¹⁰ This is not so much a problem for the paper as it is for the book. Lackey herself, in endnote 13 refers back to the comment of an anonymous referee which goes into a very similar direction (difference between having doubts whether *p* and believing *not-p*) and she admits that the Stella case might be different from the other two. One might wonder why Lackey puts this only in an endnote of her paper. This is probably due to the fact that she still has two working examples for her argument there.

matter at stake, has such an intention, we must discriminate between concealing and withholding information. While concealing information regarding p means to hide it, withholding is merely ‘failing to provide it’ (Lackey, 2021, p.172). As I have outlined in Chapter 2.1.2, from Lackey’s discussion result three main criteria on which this distinction can be based: *effort*, *relevance*, and *secrecy*. These are illustrated by her examples CHALLENGING PUPPY and CREATIONIST TEACHER. Applying this to Lackey’s account of lies, we should then be able to account for all examples raised in the discourse so far.

In what follows, I argue that the distinction between concealing and withholding does not hold in the case of CREATIONIST TEACHER: When applied as suggested by Lackey, the verdict is, all things considered, that of a lie. While we may grant that Stella does not make an effort to hide her belief in the sense that she simply presents as true what is written in the biology book, I disagree that her belief in creationism is not *relevant* to her assertion, as Lackey claims. This is so, as I have argued previously, because it constitutes an effective defeater to the latter. Also, the claim that there is no *secrecy* involved, in the sense that it seems reasonable to assume that Stella would present her personal belief without hesitation when asked upon, does not convince me. Therefore, Lackey’s account fails her own example CREATIONIST TEACHER.

As a consequence, we are left with four options: (a) to reject Lackey’s account in favour of the Fallis-Kant account I sketched out in chapter 3.1, (b) to refute CREATIONIST TEACHER as a lie and exclude it from the definition of selfless assertion, (c) to find an alternative framing for creationist teacher—namely, to frame it as an instance of a group assertion, rather than an individual lie, or (d), to modify Lackey’s accounts on lies and selfless assertion so that it can accommodate for CREATIONIST TEACHER and the other examples. In the previous subchapter, I have demonstrated the practical functionality of option (a).¹¹¹

In this subchapter, I have so far argued that CREATIONIST TEACHER, unlike DISTRAUGHT DOCTOR and RACIST JUROR, does not match Lackey’s definition of selfless assertion and structurally differs in essential aspects from the two examples who do: First, it is misleading to say that Stella does not believe p in the way Sebastian and Martin do not believe p since it conflates non-belief with disbelief. The correct description of Stella’s mental state regarding whether p is that she believes *not-p* (disbelief). The definition, two examples and Lackey’s description of

¹¹¹ I will further discuss its desirability in Chapter 3.3.

her own account suggest, however, non-belief on behalf of a selfless asserter. Second, it is false that Stella's disbeliefs p for purely non-epistemic reasons.

I will now discuss CREATIONIST TEACHER with regards to lies, in particular to LIE-L. Lackey argues that what determines whether someone who says something they believe is false is lying, is whether they have an intention of being deceptive. She then illustrates the difference between 'intend to be deceptive' and the absence of such motivation with reference to the challenging puppy example. The difference between the presented version, where the dog owner does not mention that the dog is not house-trained because she was not asked, and the hypothetical version, where the owner actively eliminates any evidence that would suggest this, is that in the second case, *an effort is made* to prevent the hearer from getting the relevant information, whereas in the first case, this is not the case. Lackey does not explicitly discuss this aspect concerning the CREATIONIST TEACHER example. However, applying the same kind of reasoning to the case, it seems plausible to assume that Stella satisfies this criterion. As a biology teacher, she likely structures her lessons based on the curriculum and textbooks. Since these present evolutionary theory as the standard theory of the origin of life, asserting that p does not require any additional effort. Sharing her personal belief that *not-p* would mean adding something to the existing material, not hiding evidence that would otherwise be discovered.

Now let us come to the criterion of relevance. Lackey holds that Stella is not being deceptive when not mentioning her belief in the truth of creationism in class, because this belief is not relevant to – that is, has no connection with – the truth of Evolutionary Theory. I find it hard to accept this. Creationism and ET are two theories, or families of theories, that, albeit very dissimilar in their assumptions, give different answers to the same question: How did our species come into being? And not only are their answers different, they are *inconsistent* with one another. So, if Stella does, as Lackey states, 'hold a belief in the truth of creationism' and, accordingly, 'a belief in the falsity of evolutionary theory' this is no mere coincidence (in the sense of two unconnected beliefs coexisting). They cannot both be true, and from a rational perspective, a single mind cannot hold both beliefs simultaneously. Insofar as her belief in the truth of creationism is a defeater for Stella believing in Evolutionary theory¹¹², it is highly relevant for what she is telling the students about the origin of the human species. She is

¹¹² I have shown in the previous subchapter that things are different with DISTRAUGHT DOCTOR and RACIST JUROR. Their 'emotional biases' do not constitute defeaters for their belief that p and thus LIE-L can account for them.

teaching (and thus, making believe) her students something about the world which she is convinced is false, and the reason for her belief in its falsehood despite good evidence is her belief in creationism. So, I disagree with Lackey that Stella's omission to mention her belief in creationism is due to its being irrelevant, because it is not. An example of irrelevant information Stella may withhold when teaching ET is, for example, her belief that the best red pepper hummus in Chicago can be found at Whole Foods.¹¹³

Finally, what about the criterion of secrecy? We could imagine Stella, so Lackey argues, willingly revealing her belief in the truth of creationism to the students when asked. This again is supposed to show that it is withholding information, rather than concealing, what she does. To support this point, Lackey constructs an alternative version (I term it CREATIONIST TEACHER 2), which, in contrast to the original version, is supposed to present a case of concealing, and thus to constitute a lie.

CREATIONIST TEACHER 2: Suppose that everything about the case remains the same, except that Stella states to her students that *Homo sapiens* evolved from *Homo erectus*, not because she regards her religious beliefs on the matter as irrelevant to her biology lesson, but because she will get fired from her teaching job if she reveals such beliefs to her students. In such a case, the aim of Stella reporting what she herself does not believe is to conceal her own religiously grounded beliefs on the topic, and thus she intends to be deceptive to her students. Corresponding to this, Stella's statement also seems to be a lie (Lackey, 2021, p. 176)

What Lackey seems to implicitly assume here is that in CREATIONIST TEACHER, Stella has no reason to conceal her belief in the falsity of ET, while in CREATIONIST TEACHER 2, this is very much the case: She would face pragmatic disadvantages (losing her job) by revealing what she truly thinks. I agree with Lackey that CREATIONIST TEACHER 2 does constitute an instance of lying, insofar as Stella has good reasons to conceal her belief and it seems likely that she would keep it secret if asked. Unlike Lackey, however, I think the same is true for the original version. Stella may not lose her job when openly sharing her belief in creationism in front of the class when pressed upon the issue, but it would severely undermine her students' trust, as well as her credibility as a teacher in front of her students.¹¹⁴ There is, of course, little accounting for having different intuitions, but consider this imagined dialogue:

Stella (to the class): 'Modern day *Homo sapiens* evolved from *Homo erectus*.'
Student A: Do you really believe this, ma'am? I mean, that we are descended from big apes?

¹¹³ I made this up to stress the difference, there is no information about Stella's hummus preferences in the book.

¹¹⁴ The loss of trust and credibility, in my view, would not result from Stella being religious and believing in creationism, but rather from her presenting something as true to the students that she believes to be false, and only admitting this later when pressed upon the issue.

Stella: Oh no dear, I mean, it is what is best justified by scientific evidence, but, you know, I personally think it's false. I think the truth is that God has created man in his image, exactly as it is stated in the Bible. I personally don't believe there has taken place any evolution since.

Student B: Then why did you say that's how it is? In school, they do tell us the truth, right?

Maybe we can conclude on that point that it is no less absurd to assume that Stella would not willingly share her belief in creationism with the students she just made believe in ET, than to assume the opposite.

For the sake of completeness, I will now return to the cases of the deceptive anthropologist and the sabotaging friend. As I have already explained in section 3.1, I concur with Lackey that both examples constitute lies, and it is evident how LIE-L captures them as such. In the case of DECEPTIVE ANTHROPOLOGIST, Shawn clearly deceives the tribe members by concealing the fact that his ancestors did not work with the tribe in the past. The story of his grandmother is something he had to invent; and what he truly believes (that his grandmother did not work with the tribe) is directly relevant to what he asserts. Given that he aimed to win the tribe members' trust, it is plausible to assume that he would keep his true belief secret if he could. The same applies to SABOTAGING FRIEND. Fran does not believe that Betty is cheating on Sam, yet she takes the initiative to make the untruthful assertion. Her disbelief in p is relevant to what she asserts, and it is unlikely that she would openly share her true thoughts, as she hopes Sam and Betty to break up.

So, I have argued both for excluding the CREATIONIST TEACHER from the category of selfless assertion and for identifying Stella as a liar. On the one hand, I provided positive reasons for excluding the CREATIONIST TEACHER, based on both the definition and the analogy to other examples. On the other hand, I used LIE-F and the criteria Lackey provided regarding the concealing-withholding distinction to identify Stella as a liar. While I acknowledged that Stella did not make a practical effort to hide information when asserting p , I argued that she fulfils the criteria of relevance and secrecy.

Overall, we can conclude with regard to LIE-L that, with the exception of the CREATIONIST TEACHER, it delivers the correct verdict for all the examples discussed so far. Additionally, its definition of selfless assertion can be successfully applied to the examples of the DISTRAUGHT DOCTOR and the RACIST JUROR, distinguishing them successfully from lies. This supports Lackey's argument that lying can indeed be explained in terms of deception and that the intion

to be deceptive is sufficient for lying. However, in light of the findings from Chapter 3.1 concerning her rejection of non-deception-based accounts, the identification of lies as necessarily involving an intention to be deceptive does not hold. As I have shown, Fallis' account can adequately address the examples of the CREATIONIST TEACHER, the DISTRAUGHT DOCTOR, and the racist juror. Furthermore, her rejection of LIE-C and LIE-F in the examples of the deceptive anthropologist and the sabotaging friend appears partial and questionable. My conclusion, then, is that while Lackey has demonstrated individual problems with specific non-deception-based accounts, she has not succeeded in categorically refuting them as non-deceptionist.

This leaves us with two functional accounts for CREATIONIST TEACHER: Either we go with LIE-L and exclude the EXAMPLE from the category of selfless assertion, instead classifying it as a lie. Or we adhere to Fallis' account with the caveats I have outlined: that we do not subject institutional contexts to the first Gricean norm of quality and accept the consequences this has for our understanding of institutions and experts.

Ultimately, I would like to return to the point I raised at the beginning of Chapter 3.1 regarding the structure and nature of Lackey's overall argument against non-deceptionism about lying. As I mentioned earlier, it is unclear from Lackey's discussion what evidential weight she attributes to her attempted refutation of non-deception-based accounts. Is the fact that LIE-S, LIE-C, and LIE-F—which share the feature of defining lies without reference to deception—fail in some examples meant to demonstrate that it is fundamentally impossible to conceive of lies independently of deception? If this is the case, her argument fails on two grounds: formally, because it constitutes an affirmation of the consequent, and empirically, because LIE-F can indeed account for the cited example. Alternatively, we could interpret her argument inductively. The fact that none of the three prominent non-deception-based accounts provide the correct verdict for all examples of lying suggests that there is a problem with these accounts in general, and that a correct account of lying is thus more likely to be found outside the realm of non-deceptionism.

3.3 Of Lackey's account of group lies

As I mentioned at the beginning of this third chapter, my primary interest lies in understanding how we can descriptively characterize lies, morally evaluate them, and examine the connection

between these two aspects. Since Lackey's account of group lies is a composition of her model for individual lies and two additional components—her accounts of group assertion and group belief—and since it does not introduce anything new concerning the nature of lies, I will not undertake an extensive critique of GLIE-L as such. Doing so would exceed the scope of this thesis, as GLIE-L opens a broad discussion about the nature of collective testimony, summativism, and non-summativism, which only tangentially relates to the topic of lies. Additionally, there is no comparative material available here, as Lackey, to my knowledge, is the only one who has presented an account of group lies.

However, there are two aspects that interest me in the context of collective lying, as described by Lackey. First, we have seen that one crucial aspect of her account of lying is its distinction from selfless assertions. A question that arises in the shift from individual to collective lying is thus whether groups can produce speech acts that fall into the category of selfless assertions. Lackey does not address this question herself.

Another aspect, already mentioned in section 3.2, is the problematic nature of CREATIONIST TEACHER. As I have shown, CREATIONIST TEACHER does not fit well with the definition of selfless assertion and stands in structural tension with the other examples that fall under the definition. One strategy to deal with this, which I pursued in section 3.2, is to exclude CREATIONIST TEACHER from the category of selfless assertion and classify it—contrary to Lackey's intuition—as a lie. In light of my critique and interpretation of LIE-L, if we agree that Stella satisfies two out of three criteria for the intention to be deceptive, her statement can be identified as a lie. As a second point in this subchapter, I will explore a third way to address this issue by utilizing Lackey's account of group lies. I will investigate the hypothesis that CREATIONIST TEACHER is not a case of testimony by an individual (Stella) but rather a group assertion made by Stella in her role as a spokesperson.

I shall start with the first question whether groups can make selfless assertions. As we have seen, Lackey's concept of selfless assertion is connected to lies insofar as selfless asserters satisfy the two standard condition of lies—they state something they do not believe—but fail to have an intention of being deceptive in that they merely withhold, but not conceal their belief whether *p*. Furthermore, their non-belief is grounded in purely non-epistemic reasons. If there are selfless assertions by groups, then it must be possible for a group to (1) hold a mental state

of non-belief that p for non-epistemic reasons (I term this the *irrational nonbelief condition*), and (2) if the group nevertheless asserts p , is not lying, that is, has no intention of being deceptive.

When we step back and consider the general features that characterize our paradigmatic examples of selfless assertion—DISTRAUGHT DOCTOR and RACIST JUROR—and reflect whether such situations could occur at the group level, two features immediately strike us as problematic: Martin and Sebastian’s non-belief in p is rooted in emotional trauma and prejudice, of which they are aware but cannot fully overcome it cognitively. Recognizing that from a rational point of view p is best supported by all available evidence, they choose to accept p as true (or very likely to be true), even if they don’t believe it is. This kind of issue is familiar to most people and lies at the heart of the idea that we cannot choose what we believe. The problem arises because our emotions and desires, which play an important role in belief formation, do not always follow our cognitive conclusions, even if we want them to. Now, do groups have such emotional states? Isn’t the formation about group believe about acceptance, rather than about belief formation as it happens in individuals? At the same time we have seen that Lackey, when rejecting joint acceptance accounts of group belief, anchors group beliefs in the individuals composing the group. Her account of group belief goes like this:

Group Agent Account (GAA): A group, G , believes that p if and only if: (1) there is a significant percentage of G ’s operative members who believe that p , and (2) are such that adding together the bases of their beliefs that p yields a belief set that is not substantively incoherent. (Lackey, 2021, p. 48-9)

If we adapt this account and turn it into the conditions needed for group selfless assertion, we get the following result for its first condition, *irrational nonbelief*:

Group Irrational non-belief: A group, G , does not believe that p for purely non-epistemic reasons if and only if: (1) there is a significant percentage of G ’s operative members who do not believe that p for purely non-epistemic reasons (=irrational non-belief), and (2) are such that adding together the bases of their irrational non-beliefs yields a belief set that is not substantively incoherent.

To get a clearer picture of this somewhat cumbersome formulation, let me apply it to an example of group assertion where the operative members fail to believe that p for different, respectively irrational reasons:

PERSONAL IRRATIONALITY: Philip Morris has three operative members who deliberate on the question whether smoking causes lung cancer (p), M1–M3. All three members fail to believe that p , each of them for different, non-epistemic reasons. M1, a single-mother of five, fails to believe that p because she is severely addicted and coming to believe that p but not being able to stop smoking would subject them to unbearable cognitive dissonance due to feelings of guilt towards her children. M2 fails to believe that p because he is part of a religious cult where smoking herbs is taken to be a soul purifying ritual willed by God, and M3 does not believe that p because he harbors a deep-seated personal grudge against the Green party, who last year banned smoking in pubs in his country with the main argument that p . All three of them, M1-M3, know that p is best supported by available scientific evidence and they regard their personal grounds for their non-belief in p as non-epistemic.

Therefore, at the board meeting where the next press release is discussed, they either
[Variant a] all three directly (and selflessly) assert that p , even though they fail to believe it, because they know that the grounds for their non-beliefs are irrational, and thus the group comes to believe that p and consequently asserts p , or
[Variant b] all three openly share their non-beliefs and the bases for them and jointly come to the conclusion that all available rational evidence supports that p , and thus the group comes to believe that p , and asserts p .

Analogous to the examples of individual selfless assertion, in PERSONAL IRRATIONALITY, all operative members M1-M3 fulfill the irrational non-belief condition and are aware of it. The grounds for their irrational non-belief are all three non-epistemic in nature (cognitive dissonance, spiritual feelings, personal antagonism), and combining their bases yields a belief set that is not substantively incoherent (but simply disconnected). Thus, the Group irrational non-belief condition is satisfied. When sitting together and discussing the issue at stake, both variant a and b result in the group believing that p : either, as in variant a, M1-M3 make individual selfless assertions at the meeting and assert that p , or they reveal their irrational non-belief but jointly come to the conclusion that it is irrational and should therefore not be considered. Now, is PERSONAL IRRATIONALITY a case of a group making a selfless assertion? I believe not.

What distinguishes PERSONAL IRRATIONALITY from the examples of individual selfless assertion is the necessary intermediate step of deliberation and disclosure of evidence. Group belief is anchored in individual member belief, but the transposition to the collective level acts as a filter. While the propositional content of individual beliefs is represented at the group level, this is not the case for the bases and defeated defeaters: There is no tension or inner conflict on the group level, since group belief is not caused psychologically, but rationally constructed. What results then is an ordinary belief that has been formed in light of full disclosure of evidence and joint deliberation. We can thus conclude that there is no such a thing as selfless assertion of groups, since groups, although they are epistemic entities, lack the kind of 'self' that is typical for individual human beings.

I shall now come to the CREATIONIST TEACHER, which is a kind of problem child with regard to our considerations concerning lying and selfless assertion. As already mentioned, the question of the correct verdict for this example stands on intuitively shaky ground: Lackey is convinced that it is not a lie, but scholars have doubted this. In chapter 3.1, I accepted Lackey's verdict—not a lie—and used Fallis' account, which is capable of capturing it as such. In chapter

3.2, I argued alternatively for excluding CREATIONIST TEACHER from the category of selfless assertions¹¹⁵ and change its verdict into a lie. I have shown that LIE-L identifies the example as a lie rather than a non-lie, even based on Lackey's own criteria. At this point, I want to consider a third strategy, returning to Lackey's original intuition that it is not a lie. The idea is to view Stella's assertion not as her individual testimony but to attribute the authorship of her statement to a group—the institution for which she works—and for which she acts as a spokesperson in her role as a teacher. Consider the following example:

BIOLOGY DEPARTMENT GROUP: The teachers of the Biology Department Group at the city elementary school—Stella, Luna, and Sole—meet at the beginning of the term to discuss the selection of didactic materials, the topics for each grade level, updates to the curriculum, and developments in the field regarding the state of the art. They also discuss how to handle alternative viewpoints—such as those of a religious nature—that deviate from the majority consensus in the scientific community. While Stella, who rejects the theory of evolution and believes in the creationist theory of the origin of the world, advocates presenting this as an alternative viewpoint in class and relativizing the different theories in terms of their origins and justifications, Luna and Sole oppose this. They believe that *Homo sapiens* evolved from *Homo erectus* and want the group of biology teachers to represent this position as true. After full disclosure of evidence and joint deliberation, a two-thirds majority emerges in favor of this position based on the available evidence. Stella, who is an internal member and, like Luna and Sole, also a spokesperson for the Biology Department Group, asserts in front of her students: 'Homo sapiens evolved from *Homo erectus*. (*p*)'

Note that, as required by Lackey's account on group belief, in BIOLOGY DEPARTMENT GROUP, there is a significant percentage of operative members who believe that *p*. Both Luna and Sole individually believe *p*, based on an overwhelming amount of scientific evidence. They have also considered the reasons for which Stella personally does not share this view, but have rejected them as a potential defeater. We can also imagine that Stella, as in Lackey's example, agrees that Evolutionary Theory should be taught as true, even though she fails to believe it herself. In any case, at least two-thirds of the operative members of the department hold the belief in question, and their belief set is coherent. The group's organizational structure is such that all department members are also spokespersons—that is, in their teaching and potentially also when addressing outsiders such as parents or teachers of other subjects. When Stella asserts that *p* in class, she performs her role as a spokesperson flawlessly.¹¹⁶

¹¹⁵ Note that excluding CREATIONIST TEACHER from the category of selfless assertion was not a pragmatic move to be able to change its verdict, but was motivated intrinsically, in light of the example itself. I argued that, unlike the other two examples, it does not fit well the definition Lackey herself gave, and it structurally very dissimilar to the other two examples.

¹¹⁶ As we have seen in Lackey's account of group assertion, spokespersons can be part of the group or not. Additionally, a group can have multiple people with the authority to speak on behalf of the group. This is the case with the teacher group, where all three operative members have this authority. In this context, Stella is even obligated to report the group belief, just as any committee member, even if they personally held a different opinion during discussions and voting processes, reports what the group believes after the deliberations are concluded.

Interestingly, Lackey did not consider this possibility herself, which is probably related to the fact that the CREATIONIST TEACHER serves a different function or functions in her arguments. At this point, we can ask ourselves what positive reasons could we have to frame CREATIONIST TEACHER as a case of group assertion. As in LIE-F, the verdict under this model is that it is not a lie. But what are the differences between the two explanations?

If we compare the two examples—CREATIONIST TEACHER and BIOLOGY DEPARTMENT GROUP—we see that the final speech act at the center of the discussion about lying and selfless assertions, Stella's assertion in class, is exactly the same. As I demonstrated in chapter 3.1, LIE-F, when applied to CREATIONIST TEACHER, concludes that Stella is not lying. However, I have argued, it has undesirable consequences for our understanding of institutions and experts—consequences that I believe we should not accept. The condition under which LIE-F absolves Stella from lying is that we assume the context of her affirmation is not governed by the truth norm but by an alternative norm, which I have formulated as aN1 and aN2. In combination with a Kantian understanding of institutions, which restricts the freedom of speech in the realm of private use of reason, Stella does not violate any rules when her assertions conflict with her personal opinion. This view is illustrated by the real-world example presented by Lackey where a creationist scientist, when challenged on the inconsistency between his personal beliefs and his professional assertions, responded that he is merely separating the different paradigms. In the context of science, he adheres to the rules of the scientific community. Similarly, when viewed through the lens of LIE-F, Stella, in asserting *p*, is simply following the school's rules: Her personal opinion is irrelevant; she is merely expected to convey what the institution requires her to say.

Now, how does this differ from explaining the creationist teacher with Lackey's model of group belief and group assertion? While LIE-F and LIE-L arrive at the same conclusion, they differ in their explanations and the implied understanding of institutions and experts. In the light of LIE-F, Stella appears as a mere mouthpiece, parroting whatever the school deems appropriate for her to teach. She accepts this as given, much like Marcus Ross accepts the rules of science as given. The conversational norm in effect functions as a limitation on her freedom of expression, causing her personal views to be excluded. Under Lackey's model of group assertion, however, Stella takes on an active, participatory, and epistemically responsible role: She is not only an authorized spokesperson, but also an active member of the group she speaks

for, her personal opinion has been taken into account and was integrated into the group's belief formation process, and she accepts and supports the outcome as 'our view.' In this sense, *p* is then what Stella believes *qua* member of the group.

One of the dissatisfying features of Fallis' account is that it either makes certain contexts indifferent towards truth (where we would rather not drop the truth norm) or, if we assume there is an obligation towards truth-telling, judges a malevolent and/or selfish lie on the same basis as a selfless assertion. I do not share Lackey's view that we necessarily need to stick to deception in order not to divorce lying from its moral wrongness. I agree, however, that the state of mind of a person making the assertion she believes to be false is something we should not let drop out of the picture. In the Fallis-Kant framework, the parrot-like speaker's personal stance towards the statement is characterized by indifference and detachment. In contrast, under the group assertion model, Stella's attitude reflects epistemic commitment and democratic participation. Statements can be accepted as true and correct based on democratically formed decisions, even if they diverge from one's personal views, because the processes that produced these statements are recognized as valid, and one is a part of the authorship. Contrary to reducing the speaker to merely a mouthpiece, this attitude endows her with integrity and trustworthiness.

Does this mean that we should generally understand selfless assertions rather as group assertions? After all, DISTRAUGHT DOCTOR and RACIST JUROR are also situated within an institutional context. To put it briefly, I don't think that selfless assertions as such can necessarily be better explained through group statements. It depends on the context whether it seems reasonable to assume a collective epistemic entity. In the case of Sebastian, this seems a bit far-fetched. Although he may frequently engage in exchanges with colleagues during continuing education as a practicing doctor, there is no comparable institutional framework like that of CREATIONIST TEACHER. Groups, although heterogeneous in many ways, are generally shaped by specific organizational structures. A worldwide community in which most 'members' are unaware of each other's existence and without common interests and goals is very difficult to frame in this way.¹¹⁷ In the case of Martin, the racist juror, it seems more plausible with regards to the potential group 'behind' the assertion, that is the jury. It is not unreasonable to think that Martin became aware of the influence of his racist prejudices during

¹¹⁷ Alexander Bird (2014) made an interesting attempt to construe broader science as an epistemic entity that could be invoked as an authority in such cases.

the discussions and exchanges with the other jurors. In fact, when delivering the verdict in court, he does act as the authorized spokesperson for the jury. However—and I believe this supports understanding the case better as a selfless assertion—the assertion at stake (*p*) does not occur in an institutional context but clearly in a private setting with an old childhood friend.

Conclusion

In the first chapter, I have presented a systematic overview of the extensive contemporary debate, focusing on the central aspects of the discourse on lying and its key controversies. Regarding the fundamental conditions underlying common definitions, it has been shown that different approaches impose varying requirements on the speech acts that constitute lying. Traditional accounts, which are based on the intention to deceive, generally conceive of lies as statements in a broad sense. In contrast, approaches that do not include this condition typically require assertions, which impose additional epistemic demands on the speaker, such as specific attitudes, commitments, and warrants regarding the truth of their statements. With a few exceptions (e.g., Carson), it is the speaker's truthfulness—understood as their doxastic attitude toward what is said—rather than the actual truth of the statement in terms of its correspondence to the facts expressed, that is taken to be decisive. Similarly, there is broad consensus that it is sufficient for liars to *believe* that their audience is capable of understanding the statement in the intended way, rather than this actually being the case. As I have demonstrated, lying, unlike deceiving, is not considered a success term in either everyday language or philosophical discourse; a statement may be a lie even if it is not believed by the hearer. Regarding deceptionism about lies, it has been shown that the historical shift toward non-deceptionism has not only reinforced the statement-assertion condition but has also introduced new, additional requirements aimed at distinguishing lies from other forms of insincere speech, such as joking, irony, acting, or reciting. Some of these additional conditions bring to the fore the context in which a statement is made, such as whether the speaker believes it to be governed by certain conversational norms. Furthermore, definitions that do not hinge on deception have created a need to explain the moral valence of lying, as the *prima facie* wrongness of lying is no longer evident. Typically, lying is alternatively understood as an instance of rule- or promise-breaking. However, social epistemologists, in the spirit of moral pluralism, generally strive to ensure that their descriptive accounts remain compatible with various moral theories.

With regards to moral theories, the absolutist stance that one should never lie is widely regarded as counter-intuitive, as it often conflicts with other moral duties, such as the duty to prevent harm. Defenders of the descriptive account of lies that frame lying as a special case of promise-breaking critique act-utilitarianism for its permissiveness toward lying when such acts might yield slightly better outcomes than not lying. Rule-utilitarianism and Ross's framework, both of which uphold a *prima facie* duty not to lie, are considered promising moral accounts despite

ongoing controversies over their reliance on intuition. The moral relevance of deception in relation to lying remains debated; while some argue that deception is integral to the moral wrongness of lying, others maintain that non-deceptive lies also carry moral weight, often framed in terms of breaking norms or trust.

In Chapters 2 and 3, I have examined Jennifer Lackey's work on lying in detail. Chapter 2 presents a cross-work analysis of her accounts of lying and selfless assertion, exploring their connections with her views on testimony, norms of assertion, and collective epistemology, which constitute the literary context of her discussions. Additionally, I have outlined her critiques of Sorensen's, Carson's, and Fallis's accounts, which construe lying independently of deception. Central to Lackey's critique is her counter-example creationist teacher, which she argues all three accounts fail. Lackey concludes from this that deception is a fundamental aspect of lying, which should be preserved, albeit in a weakened form.

In Chapter 3, which critically assesses Lackey's work, I have contended that Fallis's account, when aligned with a Kantian understanding of freedom of speech within institutional contexts, can indeed identify such a case as a lie.¹¹⁸ I have also highlighted that an institutional understanding entailed by the Fallis-Kant account is problematic, as it exempts institutions like schools from the obligation of truth-telling. While adopting Fallis's account may thus not be the most desirable option, the fact that his definition does not fall with the creationist teacher case casts significant doubt on Lackey's broader conclusion that non-deceptionist accounts as such are fundamentally misguided. Furthermore, Lackey's argumentation does not clearly indicate whether her proof—specifically, the refutation of non-deceptionist accounts through the creationist teacher case—rests on a deductive or inductive conclusion. In the former case, a deductive approach would involve an affirmation of the consequent,¹¹⁹ resulting in a logical fallacy. In the latter, an inductive interpretation weakens her argument's categorical evidential power, as only two of the three cited accounts actually fail her counter-examples.

In the second part of my critique, I examined Lackey's own account of lying and selfless assertion. Lackey defines selfless assertion as an act in which a subject asserts a proposition

¹¹⁸ While the classification of creationist teacher as a lie remains contested in the literature, I have, at this point, accepted Lackey's verdict for the sake of argument.

¹¹⁹ If affirming the consequent, the argument has the following structure: If deception is a necessary condition for lying, then non-deceptionist accounts fail to capture (some instances of) lies. Non-deceptionist accounts fail to capture creationist teacher, which is an instance of a lie. Thus, deception is a necessary condition for lying.

they do not personally believe, for reasons that are non-epistemic, while acknowledging that the proposition is well-supported by evidence. This definition encounters difficulties when applied to her example CREATIONIST TEACHER. Specifically, it conflates nonbelief with outright disbelief and fails to account for the epistemic dimension of the belief involved. Unlike other instances of selfless assertion, such as the distraught doctor or the racist juror, Stella in the creationist teacher example actively holds a belief that is contrary to the proposition she is teaching. Moreover, her disbelief is not merely a non-epistemic bias like trauma or prejudice but reflects a deeper epistemic commitment to a rival theory. Thus, the creationist teacher example not only fails to conform to Lackey's definition but also exhibits a significant structural difference from the other cases of selfless assertion. Finally, I analyze Lackey's account of collective lying, which extends her individual model by integrating it with her framework of group assertion. Specifically, I investigate the conditions under which a group can be said to have told a lie by working out central descriptive aspects—belief, truthfulness, and intentionality—in Lackey's account.

Furthermore, applying Lackey's own account of lying (LIE-L), which defines lying as the act of stating a false proposition with the intention to be deceptive, reveals additional complications. The intention to be deceptive, which constitutes a weakened form of deception, relies on distinguishing between withholding and concealing information in relation to the linguistic behavior in question. From Lackey's discussion, three main criteria for this distinction can be derived: actual effort to hide one's belief, the relevance of one's belief to the proposition at hand, and secrecy about one's belief. While the creationist teacher case meets the first criterion, it clearly fails, as I have demonstrated in 3.1, with respect to the relevance aspect, suggesting that Lackey's account fails with respect to her own example. This discrepancy indicates that creationist teacher, on LIE-L, is rather identified as a lie. This aligns with the arguments presented in the preceding subchapter, where I offered substantive reasons for excluding it from the category of selfless assertion.

In the last section of my critique, I addressed two pivotal issues concerning Lackey's conceptualization of lying, particularly with respect to collective contexts. First, I assessed whether Lackey's framework for selfless assertion can be suitably extended to collective agents, considering its alignment with her account of group assertion. By integrating her accounts of group belief and selfless assertion and applying them to a series of examples, I

demonstrated that group beliefs are formed differently from individual beliefs. In various modalities, the relevant mechanisms that give rise to selfless assertions do not manifest within the formation of group belief. Thus, on a collective level, there is no intermediate category between genuine assertion and lies.

Second, I re-examined the creationist teacher example, trying to account for Lackey's intuition that it does not constitute a lie. In this context, I propose that, maintaining the moral valence of the case, it is more fitting to frame it as an instance of group assertion via spokespersonship. Here, the statement should be attributed not to the individual speaker, Stella, but to the institutional entity she represents. Finally, I argue that the distinction between the Fallis-Kant framework and group assertion is not merely a technical detail but carries significant implications for the speaker's integrity and trustworthiness. I do not share Lackey's view that we need to stick to deception in order not to divorce lying from its moral wrongness; I agree, however, that taking into consideration an asserter's intentions is crucial for understanding lies and selfless assertions.

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